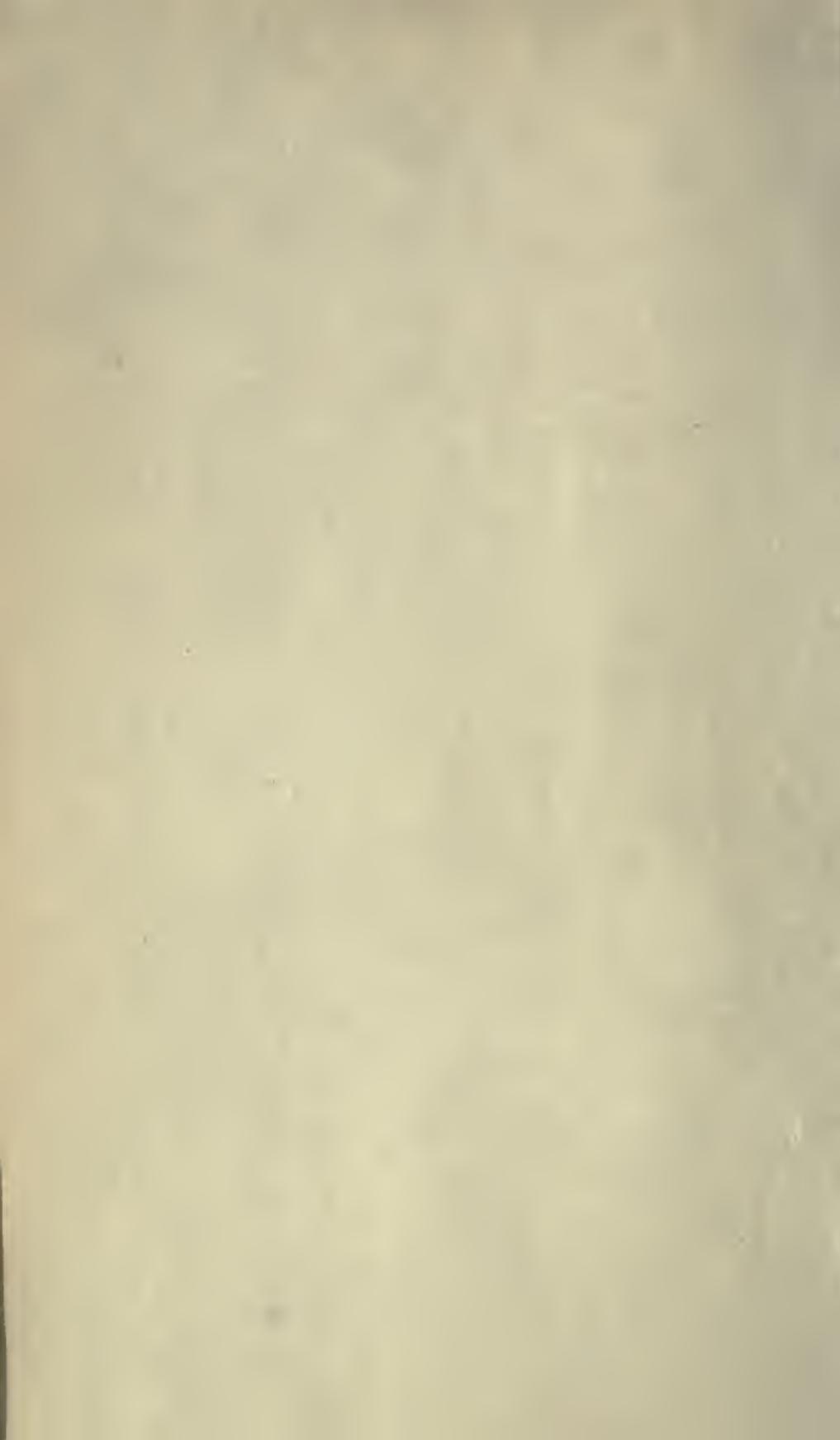
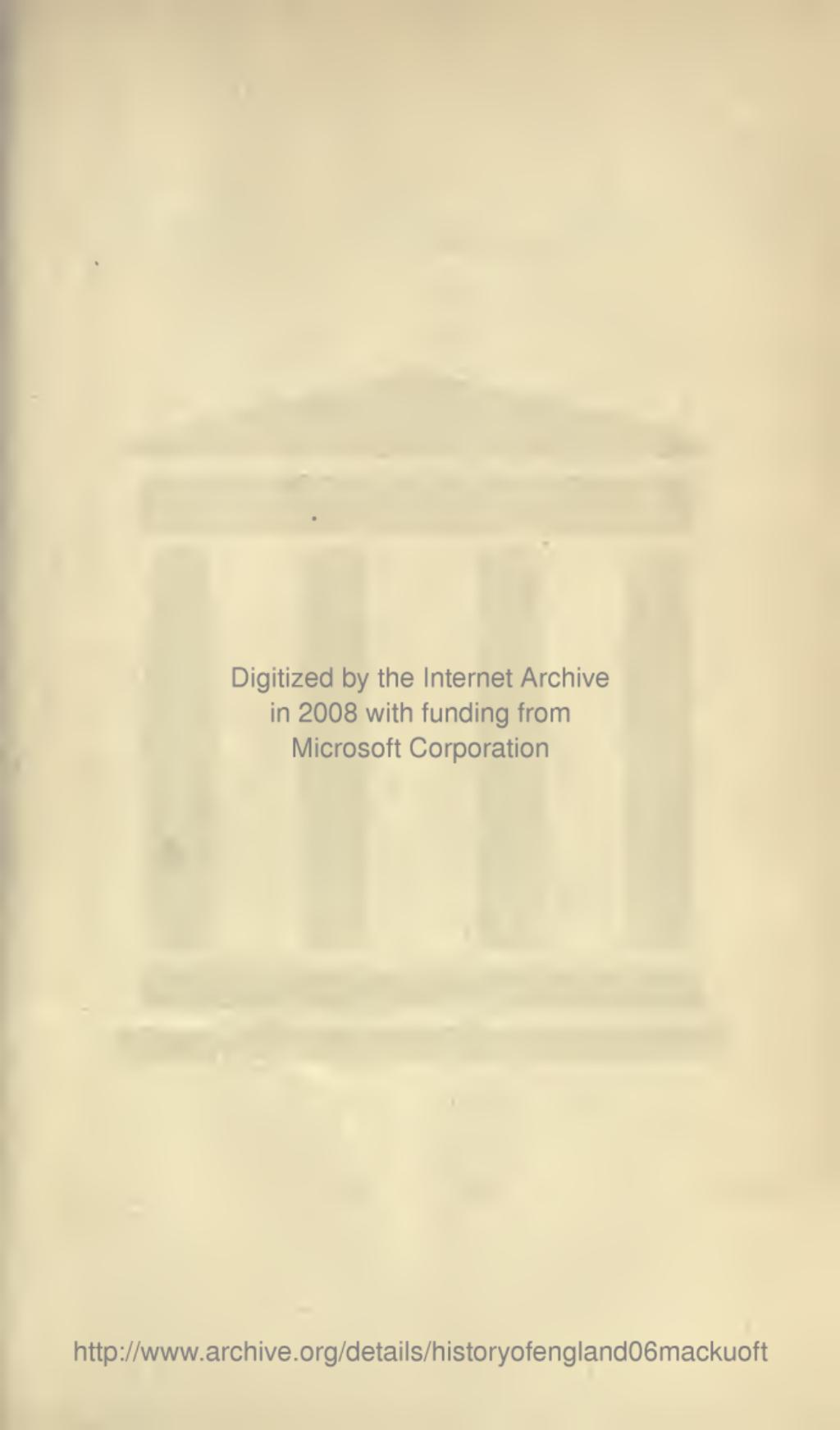




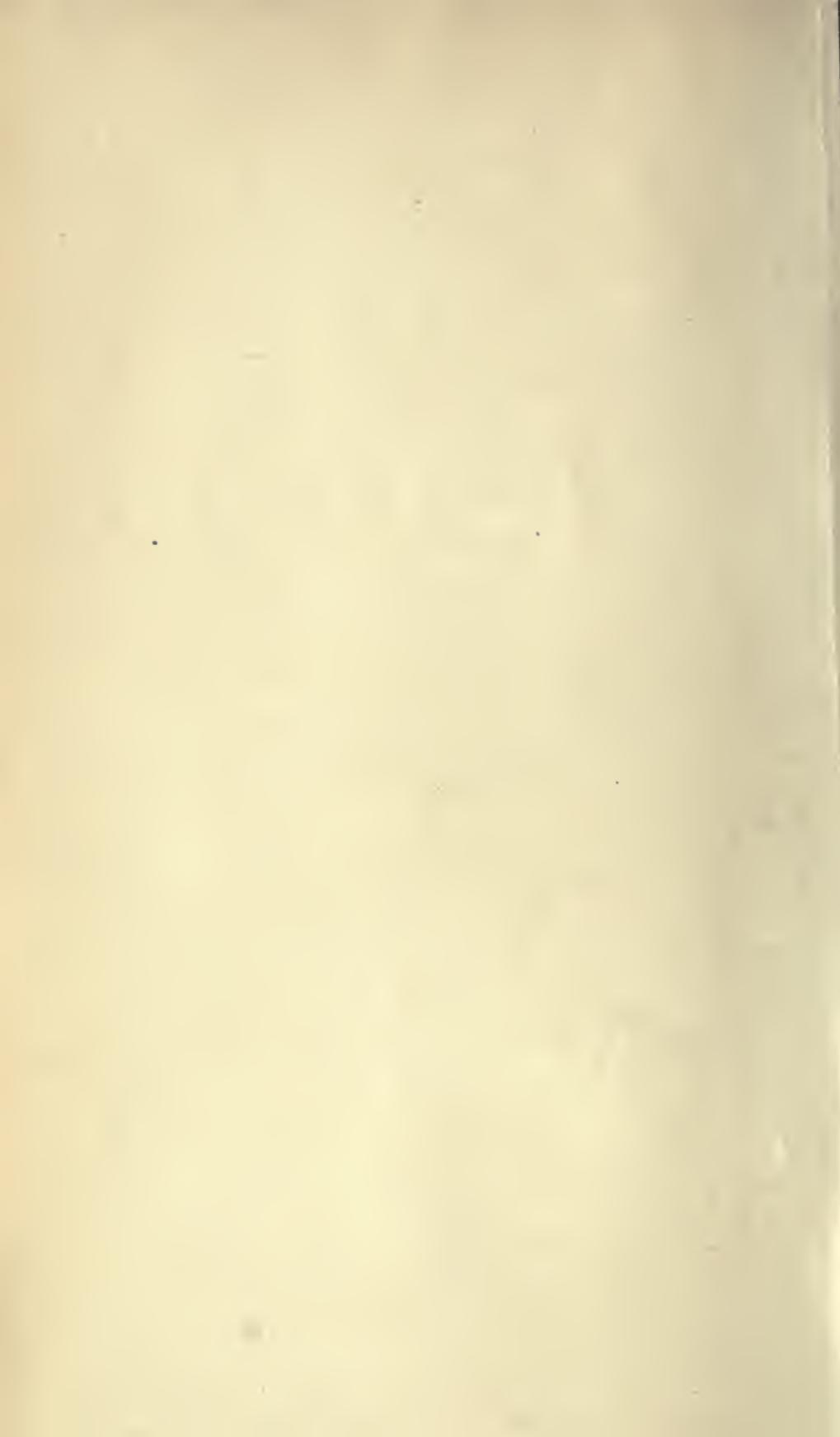


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T H E

HISTORY OF ENGLAND.

CONTINUED FROM

The Right Honorable
SIR JAMES MACKINTOSH, LL.D: M.P.

VOLUME THE SIXTH.



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E. Finden, sc

Cromwell dissolving the long Parliament.

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HISTORY OF ENGLAND.

CHAP. I.

1645—1647.

THE KING'S PRIVATE CORRESPONDENCE MADE PUBLIC. — HIS RETREAT FROM NASEBY. — ALIENATION OF THE PARLIAMENT AND THE SCOTS. — ADVENTURES OF MONTROSE. — DEFEAT AND LOSSES OF THE KING. — MISSION OF GLAMORGAN. — SCHISM BETWEEN THE PRESBYTERIANS AND INDEPENDENTS. — MISSION OF MONTREUIL. — THE KING ESCAPES FROM OXFORD TO THE SCOTCH ARMY. — HE IS GIVEN UP TO THE PARLIAMENT BY THE SCOTS, WHO REPASS THE BORDER. — STATE OF PARTIES.

THE battle of Naseby decided the first civil war. It destroyed not only the material, but the moral, strength of the king. Copies of his confidential letters to the queen, captured in his private cabinet on the field, were communicated by the parliament to a common hall of the city of London, and afterwards published to the world.* It appeared from them, that, at the treaty of

* Hume treats the act of publishing those letters with gross injustice. They were, according to him, garbled with the view to reflect dishonour on the king. The fairness of the extracts is proved, not only by comparative reference, but by the fact that the king's friends judged it advisable not to publish the parts suppressed, considering them little calculated to vindicate his good faith or honour. (See Hallam, ii. 259. note.) He refers to the well-known forbearance of the Athenians when they intercepted Philip's letters to his queen. The informed reader will instantly perceive that the cases are wholly different. Other writers, without the excuse of Clarendon's servility and Hume's toryism, have been no less severe in their animadversions — forgetting the more recent and much

Oxford, he had secretly registered in the council book his protest that, in calling the lords and commons at Westminster a parliament, he did not acknowledge them as such ; that he looked upon them as banded traitors, to whom he owed neither forgiveness nor good faith ; that he termed his own followers, of both houses, assembled at Oxford, a “base,” “mutinous,” “mongrel parliament ;” that he designed bringing into England an army of Roman catholics from Ireland, and a foreign army under the duke of Lorraine, a popish prince — contrary to his express and solemn word.*

The parliamentarians appealed to the glaring evidence of his perfidy ; the royalists were disgusted with his ingratitude ; the moderate and neutral lost their respect for his character.† Every effort henceforth on his part to resist, whether by force or by intrigue, but accelerated his fall. The remaining events of his life (he no longer reigned) may be succinctly despatched.

From Naseby he retreated, without determined purpose, by a devious route to Hereford ; parted there from prince Rupert, who crossed the Severn for the purpose of taking on him the defence of Bristol ; went into South Wales with the hope of obtaining supplies of men and money from the six counties associated in his cause, and passed three weeks, by one account ‡, twelve days only by another §, at Ragland castle, the seat of the marquis of Worcester, in the vain pomp and amusement of a royal chase, at this period of disaster.

Meanwhile Leicester surrendered, upon the first summons, to the victors of Naseby. An intercepted letter from Goring, then occupied with the siege of Taunton, to the king, came into the hands of Fairfax, who in

less defensible case of the prince of Orange, who intercepted and opened a letter from James II. to his queen, whilst that unhappy king was flying in disguise for life, from London to the sea coast. Voltaire, misled by royalist slander says they were read in parliament, “avec ces railleries amères qui sont le partage de la féroceité.”

* Journ. of Lords and Commons, June 1645. Parl. Hist. iii. 376—378.
See “The King’s Cabinet Opened,” &c. Harl. Miscel. vol. v.

† Ma Short Mention, &c.

‡ Walker, Hist. of Independency, 132.

§ Wood, Athen. Oxon. art. M. of Worcester

consequence directed his march westward, relieved Taunton by the mere terror of his approach, defeated Goring at Lamport, and forced Bridgewater, deemed impregnable, to surrender almost at discretion.

The royal cause was no less desperate in the north than in the west. Pontefract and Scarborough surrendered to the parliamentarians, whilst the Scots under Leven, having taken Carlisle after a long siege—conducted however by them with a suspicious want of energy—advanced into the heart of the kingdom, and invested the city of Hereford.

The Scots, since the execution of the new model, showed symptoms of alienation. Intent only upon breaking the yoke of prelacy to substitute that of presbytery, they beheld with fear and hatred the progress of religious toleration, republican liberty, and the independents. The victory of Naseby seemed to inspire them with new zeal; either because dubious friendship is most profuse of its aid when least wanted, or because they thought it politic to advance towards the centre of action at the approaching crisis between the parliament and the king.

Charles, under these circumstances, was urged and implored on every side to come to an accommodation with the parliament,—even prince Rupert advised it.* The king declared, in reply, his inflexible adherence to the terms offered by him at Uxbridge. God, he said, would not suffer the overthrow of his own cause, and would at last place rebels and traitors under the foot of their sovereign.† There was, in this confidence, more of presumption than of piety. Inordinate royal pride, and a high church education, produced in the king's mind the delusive notion that the attributes of sovereignty were in him divine and indefeasible. Hence, perhaps, the inconsistency with which he indulged the pomp and pleasures of a royal chase at Ragland castle, whilst his fortunes were in extremity.

* *Codr. v. 225.*

† *Ibid. Lords' Journ. Aug. 1645.*

His chief force in the field consisted of a few regiments of horse under Gerard and Langdale : the new levies in Wales proved weak and inefficient : he was disappointed of aid from abroad and from Ireland. The only hope left him was in the successes of Montrose : he resolved to move northward with his cavalry, for the purpose of joining that adventurous and devoted partisan in Scotland.

Montrose was one of those men, singular in their age and rare in the annals of mankind, to whom difficulty and danger are not only temptations to enterprise, but elements of success,— to whom great success is the prelude to ruin. He made an incursion into Scotland early in 1644, and took Dumfries ; but Antrim, who should have joined him with 2000 men from the north of Ireland, did not arrive : his own force was a mere escort : he abandoned his enterprise for that time, and resumed it, under circumstances the most disheartening, after the battle of Marston Moor. He then, upon fresh assurances from Antrim, repassed the border in disguise with only two attendants, concealed himself in the Highlands, until the appearance of about 1200 Irish, under Alaster Macdonnell, called the young Colkitto, presented himself to them in the garb of a highland peasant, and with this small force, undisciplined and ill-armed, took the field.

The influence of Montrose in the Highlands soon increased his followers to about 3000 men. Argyll, lieutenant of the kingdom, and lord Elcho, marched against him from different points, each at the head of more than double his numbers. He surprised and defeated Elcho at Tippermuir, in Perthshire, possessed himself of ordnance and ammunition, and enriched his followers by the capture of Perth.* The Highlanders, serving as volunteers without pay or discipline, and having little notion of war other than predatory, retired

* Wishart, Life of Montrose, cap. 5. Spalding, ii. 233. Rushworth says, "he would not allow Perth to be plundered, by that kindness to oblige them to the king's party" (v. 929.) ; but at the same time states that the Highlanders left him in order to secure their booty.

to the mountains for the purpose of securing their plunder ; but the Irish, in a strange land, and deprived of the means of retreat to their home by the burning of the vessels which had conveyed them over *, adhered to his standard.

The diminution of his force, and the advance of Argyll with an overwhelming superiority, obliged Montrose to retreat. He moved upon Aberdeenshire with the purpose of joining the marquis of Huntly, and defeated lord Burley in the neighbourhood of Aberdeen. The victors and the vanquished entered that town pell-mell, and the unfortunate inhabitants were subjected to the horrors of a place taken by storm. It is charged upon the Irish that they stripped before they massacred their victims, in order to possess their clothes without stain or injury.† That they committed horrible excesses is most probable, but such provident barbarities as this are, under the circumstances, much more likely to have been invented than practised in cold blood. Montrose was reproached, in aggravation, with having inflicted upon the same city similar cruelties four years before, as the champion of the covenant. He was but an aspiring adventurer, as keen and as impulsive as his sword, whether he used it for a tyrant or for a faction.

Montrose's fear of the continued advance of Argyll, according to some ‡, his purpose of spreading terror and enthusiasm by the rapidity of his movements, according to others §, determined him to abandon Aberdeen. Huntly, from personal jealousy or from distrust of an apostate covenanter, prevented the rising of the Gordon clans, and he moved northwards across the Spey.

The river was deep and rapid, and he found it lined with the whole covenant force of the northern counties, about 5000 men, on the opposite bank ||, whilst he was

* They were burned by Argyll.—Wishart, *Life of Montrose*, cap. 5. Rush. v. 929.

† See Spalding, ii. 237. &c. He says, that massacre and pillage continued four days; and Mr. Godwin echoes him too implicitly. Rushworth, a much better authority in every respect, says, "Montrose entered the city, and allowed his weary soldiers two days' rest" (v. 930.).

‡ Spalding, ibid.

§ Carte, iv. 529, 530.

|| Rush. vi.

closely followed by the main army under Argyll. A master in the science of irregular warfare, he flanked the river towards its head, leaving behind his artillery concealed in a morass, reached Athol by the mountain ridge of Badenoch, despatched Macdonnell to recall the Highlanders, passed into Forfar, reappeared once more among the Gordon clans, and narrowly escaped being surprised and seized, through the treachery of his scouts, by Argyll.*

Hunly again left him to his fate. He passed the Dee, and reached Faivy, or Fairy, castle. Argyll was in his rear at the short distance of two miles. Both armies — if they should be so called — observed each other for some days, with only sharp skirmishes of detached parties. Montrose feared to encounter the superior force of Argyll, who in his turn feared the superior genius of Montrose. Some followers of the latter were gained over by the former ; others either deserted his standard, or demanded leave of absence, which he was not in a condition to refuse. He moved with his usual rapidity by the mountains into Athol, where Macdonnell met him with a reinforcement from the Highlands, turned upon Argyll, and compelled him to fly in his turn.

Argyll, foiled and harassed, gave up the command to general Baillie, and withdrew to his castle of Inverary. Whilst he lived secure, and deemed himself inaccessible in this wild district of mountain, rock, and glen, during the depth of winter, and supposed that there was no enemy within 100 miles of him, the cries and consternation of the cowherds running† down from the hills brought him the startling news of the presence of Montrose. That chieftain, acting upon his favourite maxim that an enemy is most vulnerable on his own ground, and wounded to the quick by Argyll's having set a price upon his head, overcame with his hardy and devoted Highlanders and Irish auxiliaries every obstacle of mountain, morass, and the winter snows, and, by marches of

* Carte, iy. 530.

† Rush. vi.

prodigious hardship and rapidity ; burst suddenly into the inmost recesses of the country, so called, of Argyll ; and laid it waste by fire and sword during the two months of December and January. Argyll, taken by surprise, escaped over a lake by a fishing boat, and collected a considerable force at Inverlochy on the banks of Lochaber.

Montrose, having changed his purpose of attacking lord Seafort, who commanded a large force in Inverness, crossed over the Lochaber hills, surprised Argyll on Candlemas eve, skirmished with him by moonlight, and next day routed his army, after a brave resistance and a dreadful slaughter of the numerous and gallant family of the Campbells.*

The Gordons, influenced by his successes, now joined him. He took and pillaged Dundee, thought it expedient to retreat before Baillie, who commanded the main army of the covenant, but attacked and routed the deserter Urry (or Hurry) at Auldearn in the county of Nairn whilst on his way to rejoin Baillie.

Every success of Montrose had its distinguishing stratagem, so simple as to appear obvious after the fact, — a mark, perhaps, of true genius in the art of war and in other arts. At Auldearn he placed Macdonnell in a strong position with the standard royal, which was usually borne before himself. Urry directed his chief force against the lieutenant thus posted, upon the supposition that Montrose was there ; whilst the latter with his main body attacked and routed him from the other wing.

He fought invariably against greatly superior forces of horse and foot in due proportion, whilst he was wholly without cavalry. But the Highlanders, hardy, swift of

* Argyll, according to Rushworth, "was himself before withdrawn :" according to Baillie, Spalding, and the two bishops, Wishart (Life of Montrose) and Guthry (Memoirs), he looked on from a boat on the neighbouring lake ; and all the royalist or Jacobite historians of the period reproach him with cowardice, falsehood, and cruelty. He has on the other side been as strenuously defended. To discuss the merits is incompatible with the limits and purposes of these pages, but two considerations in his favour should not be lost sight of, — the proofs of courage which he gave in his life, and above all in his death, and the utter want of scruple with which the cavaliers slandered their adversaries. Clarendon himself is only more plausible and artful, not more scrupulous, than his contemporaries and followers of that party.

foot, and familiar with the seat of war, performed the service of light cavalry even in pitched battle ; and the rest was supplied by his genius.

Montrose obtained the victory of Auldearn on the 4th of May. Having passed some days at Elgin in the cure of his wounded and refreshment of his small band, he marched to Strabalgie, declined an engagement with the united forces of Baillie and Urry, passed the Badenoch ridge and the Grampian mountains, came to the relief of Huntly, who did not merit this service, and routed Baillie, with the loss of 2000 slain, on the 2d of July, at Alford, near the mouth of the Spey. The loss of Montrose was trifling *, with the exception of the death of the gallant lord Gordon, son of the marquis of Huntly, slain in the pursuit by a random shot.

Having thus disorganised the forces of the covenant in the northern countries, he moved to the south with the purpose of attacking Perth, then the seat of government, that is, the place of meeting of the Scottish parliament, which had been successively dislodged from Edinburgh and Stirling by the plague. After a short delay, required for the refreshment of his followers, and for allowing the Highlanders to deposit their booty as usual, he set out upon his expedition to the lowlands ; was joined by several chiefs with their followers at Fordon, his rendezvous ; contented himself with giving Perth an alarm ; crossed the Forth a few miles above Stirling ; and resolved to stand the shock of the whole force of the covenanters under Baillie, Lindsay, and Argyll.

They attacked him on the 19th of August in his position at Kilsyth. The battle was decided by a singular trait of military inspiration and valour on the part of Montrose. His few horse and his infantry were terror-struck by the novel appearance of a regiment of cuirassiers : they murmured at encountering men clad in armour impervious to their swords. Montrose rode along the line, and made them this brief harangue : “ Gentlemen, there are the same men who ran away at

* If his biographer, bishop Wishart, may be relied on.

Alford, Auldearn, and Tippermuir — cowardly rascals ! whom their officers could not bring to face you till they had clad them in iron : to show how we despise them, we will fight them in our shirts !” He threw off his coat and waistcoat on the instant, and drew his sword. Those who could not hear his speech saw and imitated his action ; all charged in their shirts with the fury and the appearance of madmen ; drove the panic-struck cuirassiers back upon the infantry ; routed the whole force of the covenanters, horse and foot ; and cut them to pieces in the pursuit, with the exception of about 100 stragglers.

The victory of Kilsyth placed Scotland at the feet of Montrose. Argyll and the chief lords of the covenant fled to England : the city of Glasgow opened its gates to him ; Edinburgh made its submission ; and he issued a proclamation, as the king’s lieutenant of Scotland, for holding a parliament in the following October.

It is now necessary to return to the movements of the king. His first purpose was to attempt the relief of Hereford, besieged by the Scots. The weakness of his infantry, the efficiency of his cavalry, the successes of Montrose, then in the full career of victory, conspired to determine his course towards Scotland. He proceeded without opposition by rapid marches to Rotherham, near Doncaster. This movement of the king is stated to have been actually concerted with Montrose.* It was the fortune of the same individual to derange their concert both in England and Scotland. Lieutenant-general David Leslie was detached by Leven with the Scotch cavalry in pursuit of the king, whilst Pointz, Gell, and Rossiter, who commanded the English forces in the north, marched to join him with infantry. The king, unable to meet their united force, fell back upon Newark, took Huntingdon, ravaged the associated eastern counties, and on the 29th of August arrived at Oxford.

News now reached him of the last victory obtained by Montrose, and the complete submission of Scotland.

* May, Short Mention, &c. Select Tracts, i. 81.

He moved with his whole force against the Scotch army before Hereford, compelled Leven to raise the siege, and entered the city in triumph. His next design was to relieve Bristol, besieged by Fairfax, and defended by prince Rupert. Whilst on his way to cross the Severn he learned that this city, his chief place of strength in the west, had surrendered by capitulation after only a few days' siege. Full of indignation, suspicion and dismay, at the failure of his nephew to defend a place of such importance and strength, he resolved once more to join Montrose, and moved northward. He took Chester in his way, with the hope of raising the siege of a place where he could most conveniently receive aid from Ireland.*

This expedition proved disastrous to him. Pointz, with his force, at the same time approached Chester, placed the king between two fires, — that of the besiegers and his own, — and defeated him with the loss of 6000 slain and 1000 prisoners. Charles fled to Denbigh, and there learned the defeat and ruin of Montrose only a month after the battle of Kilsyth.

The most brilliant and complete victory obtained by Montrose has been viewed as the main cause of his ruin. His vigilance and prudence gave way to inordinate presumption. He looked upon the conquest of Scotland as complete, and contemplated as complete a conquest of England. Scotland had, in fact, submitted to him upon his success at Kilsyth ; but that submission was unsecured by either political or military organisation, or by overawing fortresses ; and Leven, at the request of the covenanters, sent David Leslie with the Scotch cavalry across the border. Leslie took Montrose by surprise, at the village of Philiphaugh, near Selkirk ; and, after a short but desperate engagement, routed him with an irreparable loss, in killed, wounded, and prisoners. Montrose, with the wreck of his army, fled to the Highlands.

The situation of the king was now most distressing.

* May, Short Mention, &c., 82.

His obstinate rejection of all compromise recoiled upon him in the undisguised and bitter complaints of his followers, exasperated the more that he gave his whole confidence to one who was odious both as an individual and a favourite — lord Digby. It was determined in council that the king should retire to Worcester, and he reached Bridgenorth on his way. Upon the suggestion of lord Digby, he changed his purpose, and proceeded to Newark.

In his rage at the surrender of Bristol, he had deprived prince Rupert of his commission, and ordered him out of the kingdom. Digby was known to have counselled or approved this proceeding *, and dissuaded the king from fixing his head-quarters for the winter at Worcester, of which prince Maurice, the brother of Rupert, was governor.

Rupert, instead of complying with the king's order, set out immediately to vindicate himself to the uncle in person. Upon reaching Belvoir castle, he received fresh orders to remain there until he was informed of the king's pleasure. He yet proceeded to Newark, of which the governor, sir Richard Willis, and Gerard, commander of the cavalry, went out to meet and escort him to the king's presence. Thus slighted was the authority of the unhappy Charles.†

His humiliation did not rest there. Rupert demanded and obtained from him a revision of his own previous

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* The king's displeasure was so violent, that the disgrace of Rupert might have taken place without the influence of Digby, or any other courtier. In his letter to Rupert, he reminds him of his assurance to maintain himself in Bristol four months; asks him whether he had done so four days, and plainly tells him he blushed for him. (Clar. v. 252, 253.) In another letter (Lords' Journ. Oct. 1645.), he says, he would grieve less to hear his son were knocked on the head, than that he had surrendered Bristol on such terms. From the surrender of Bristol in two instances, by Fiennes and Rupert, the most obvious conclusion is, that its strength was over-rated.

† Walker, Hist. of Indep. 145, &c. The effect upon the king's fortunes was such, that, four days after the capitulation the prince of Wales, nominal commander in the west, addressed a letter to Fairfax, requiring a safe conduct for Hopton and Colepepper to proceed to the king for the purpose of bringing about an accommodation. Fairfax forwarded the letter to the committee of both kingdoms; from them it passed to the lords and commons, who received it with ceremonial respect, but took no proceeding upon it.

judgment by a council of war, which, however, vindicated only his courage and fidelity * ; implying thereby the want of capacity or discretion.

Charles, to punish Willis, removed him from the government of Newark, but under the pretext of employing him in another service. Willis, accompanied by the two princes, Rupert and Maurice, and about twenty officers, insisted upon an audience, complained of having been insulted, and ascribed the insult to lord Digby, whom Gerard called a traitor, whilst prince Rupert said that Willis suffered for being his friend. The king desired Willis to follow him into his private cabinet ; Willis insisted that the satisfaction to him should be as public as the insult, and refused ; upon which Charles, losing the self-command which was familiar to him when his purposes required it, indignantly ordered them from his presence for ever.

Prince Rupert, with his followers, retired from Newark and from the king's standard to Wiverton ; obtained from the parliament passports to leave the kingdom for himself, his brother, Willis, Gerard, and about 400 military seceders, of whom the lowest in rank were captains † ; but, after some time, made his submission, and was reconciled to his uncle.‡

The surrender of Bristol was quickly followed by that of Devizes, Winchester, and Basing, to Cromwell ; Tiverton and Dartmouth, to Fairfax ; Chepstow, Hereford, and Monmouth, to colonel Morgan ; Chester, to sir William Brereton.§ Charles proceeded from Newark to Oxford with so poor an escort, that, to pass unknown, he sacrificed that beard which is rendered so familiar by the pencil of Vandyk.

The king, after the defeat of Philiphaugh, had still hopes of Montrose — warranted, perhaps, by the vicissitudes of his fortune, and the resources of his genius. Entertaining this view, and wishing at the same time

* Rush. vi. 99, &c.
† Clar. v. 389.

‡ Whit. Mem. 185.
§ Rush. vi. 90. 138.

to prevent a collision between lord Digby and prince Rupert*, he ordered Digby to take the command of Langdale's cavalry, about 1500 strong, and join Montrose in Scotland.

The expedition was no less disastrous than that of the king in person. Digby obtained a slight advantage over a body of parliamentarians near Doncaster; was himself routed near Sherborne; rallied at Skipton; passed into Scotland as far as Dumfries; found no trace of Montrose; returned to England; was compelled to disband his followers near Carlisle†; and proceeded with his chief officers to the Isle of Man. His private papers were captured at Sherborne.‡ Among them were drafts or copies of the king's confidential letters to Ormond, confirming and aggravating his bad faith already exposed by the papers taken at Naseby.§ It appeared from them that Charles was engaged in a secret negotiation with the pope ||, and that he considered himself reduced to the last extremity.

From the Isle of Man, lord Digby passed over to Ireland. Here his presence proved unfortunate by his share in discovering the secret mission of Glamorgan. Volumes have been written upon this complicated and famous intrigue. It would be inconsistent here to give more than leading facts and general inferences.

Charles looked constantly to Ireland for military aid. 1646. In a letter, dated July 31., to Ormond, he says, "I absolutely command you, what hazard soever that kingdom [Ireland] may run by it, personally to bring me all the forces of what sort soever you can draw from thence." ¶ The Irish catholics were now not only in a state of armed insurrection, but possessed of more than half the territory and resources of the island. They had adopted the model of the Scotch covenant — or of

* Digby's letter to Clarendon. Clar. State Papers, ii. 199.

† May, Short Mention, &c., in Select Tracts, i.

‡ Ibid.

§ Ibid. Parl. Hist. iii. 398. Lords' Journ. Nov. 1645. See Rush. vi. 129, &c.

|| Rush. vi. 129, &c.

¶ Lords' Journ. Oct. 1645. Parl. Hist. iii. 399. Lord Digby's Cabinet, &c.

the French league. A synod of catholic divines, held at Kilkenny, declared their taking arms lawful, and prescribed, under the penalty of excommunication, a sworn covenant to defend, at the hazard of life and fortune, the free exercise of their religious worship, the king's rights, and the nation's liberties. An administrative council was appointed in each county, subject to the council of the province, which was subject in its turn to the supreme council of the confederated catholics sitting at Kilkenny.

The Irish catholics originally demanded only the free exercise of their religion, and the repeal of Poyning's act, which declared the parliament of Ireland subject to the privy council of England. They now further insisted on the secure possession of such churches as were actually in their hands, leaving the remainder to the protestants. Charles instructed Ormond, the lord lieutenant, to make peace with them, or at least conclude a cessation of arms, upon condition that they should send him over a force of 10,000 men. Ormond negotiated without success, and in despair or discontent solicited his recall.* The king refused, but sent over lord Herbert, son of the marquis of Worcester, under colour of private business, to treat with the catholics. The father and son, both Roman catholics, had proved their attachment to the king's cause and person by various services and sacrifices, including an obstinate defence of Ragland castle †, and the expenditure of above 200,000*l.* Charles created, or rather named, Herbert earl of Glamorgan, and sent him on his mission with three several warrants, sealed either with the great seal or with his private signet. One recommended him to the confidence of Ormond; the second invested him with unlimited power to act and undertake for the king,

* Carte's Life of Ormond, i. 520.

† The mention of the defence of Ragland castle is noticed by Mr. Hallam as appearing from the recent edition of Clarendon to be an interpolation of the original editors—but it is mentioned by Clarendon in another place, (v. 249.) and Cromwell in a letter to colonel Norton (Harris, App. 503.) speaks of papers seized at the taking of Ragland. The original therefore, instead of interpolating a falsehood, supplied a fact.

on his royal word as a sovereign and Christian, to make good with his utmost power and influence the envoy's engagements — even should they exceed the warrant of law, and especially authorised him to contract a secret treaty with the supreme council of the catholics, in which (it set forth) neither the king nor Ormond could appear ; the third commissioned him to levy men as the king's generalissimo in Ireland, and in foreign parts.* To these were added credential letters, with blanks, which he was at liberty to fill up with such names as he judged expedient. He further had the promise of a dukedom, and of the marriage of the princess Elizabeth to his eldest son.

Glamorgan, after considerable delay and some hazardous adventures, reached Ireland in the summer of 1645, and soon concluded secretly with the catholic council a treaty, declaring in the preamble that it should not be made public, because the terms were such as the king could not for the present avow. It stipulated that the penal laws against the religious worship of the Roman catholics should be repealed ; that the use of all the churches which they then possessed should be secured to them ; that the catholics should raise and land in England 10,000 men for the king's service, at the disposal of Glamorgan.† Ormond's public negotiation with the catholic council was now concluded with sudden and, to those not in the secret surprising facility. Glamorgan, meanwhile, in his impatient zeal for his master's service, importuned the catholics to hasten their promised aid. They, in their turn, were dissatisfied with the secrecy and insecurity of the terms ; and the papal nuncio, Rinuccini, arrived in Ireland to create new embarrassment.

Rinuccini threw every obstacle in the way of peace. He urged the catholics to insist on further concessions from the king. This person has been represented as

* See Carte's Ormond, i. *ad finem*, ii. App. Birch's Inquiry. Lingard, Hist. of Eng. x. note B.

† Rush. vi. 242.

an enthusiast bigot, who, on the faith of miracles, visions, and predictions, believed himself destined for this mission to convert the Western Isles.* A prelate of Rome, and a politician of the court of Florence, he more probably assumed the mask of religious enthusiasm, as the best means of swaying the religious zeal and passions of the Irish catholics. The papal court at this period despaired of England; and Rinuccini, indifferent to the fortunes of the king; no less so to the interests of the Irish catholics; so far as they alone were concerned,—intent only upon detaching Ireland altogether from the dominion of England, for the benefit of the see of Rome,—laboured strenuously to continue the war in Ireland, and retard the stipulated military aid. The council of the catholics was thus divided into the two parties of Glamorgan and the nuncio.

Such was the state of affairs in Ireland at the close of the year (1645), when Glamorgan's negotiation suddenly exploded in the manner following. Digby, secretary of state to the king since the death of lord Falkland, exercised authority as such in the Irish council. He invited Glamorgan from Kilkenny to Dublin, under the pretence of desiring information; charged him, on his presenting himself, with high treason, and produced to the council copies of his secret treaty, with other papers relating to the negotiation with the catholics. At the same time the committee of both kingdoms in London was in possession of the papers, and had watched the progress of the intrigue for the last two months. They were found on the person, or in the baggage, of the Roman catholic archbishop of Tuam, slain in a skirmish, near Sligo, in the preceding October.

Upon this explosion of the intrigue, Charles disavowed and reproved the proceedings of Glamorgan “on the faith of a Christian,” and his friends declared that the warrants bearing his name were forged or surreptitious.†

* Carte's Life of Ormond, i. 558.

† Journ. Lords and Commons, Jan. 1645–6. Letter of Sec. Nicholas, in Birch's Inquiry, &c. Carte's Life of Ormond, ii. 556.

From a view of the transaction in all its parts and evidences, it may be confidently inferred that Glamorgan's warrants were genuine and fairly obtained by him—and farther, that the proceedings of Glamorgan were either known or wilfully connived at by Ormond. The facility with which his own negotiation suddenly proceeded* would alone have opened Ormond's eyes. But his connivance is proved by his express words :—“ You may,” he writes to Glamorgan, “ go on in the way you have proposed to yourself to serve the king without fear of interruption from me, *or so much as my inquiring into the means you work by.*”† The next inference is that it was not the king's purpose to keep his word with the Irish catholics. It is unnecessary to state circumstances where his own testimony remains. Writing to prince Rupert, during the mission of Glamorgan, he says :—“ As for the Irish, I assure you they shall not cheat me, *but it is possible they may cozen themselves.*”‡ He appears to have acted in perfect good faith only with Glamorgan, to whom, in a confidential letter, he promises not alone benefit, but vengeance. “ As I do not doubt,” he says, “ you have too much courage to be dismayed or discouraged at the usage you have had, so I assure you that my estimation of you is nothing diminished by it, but rather begets in me a desire of revenge and reparation *for us both.*”

Glamorgan, little alarmed by his captivity§, was soon liberated on bail.|| Two Irish noblemen, the marquis of Clanricarde and earl of Kildare, bound themselves as his sureties in 30,000*l.*¶ He immediately

* Carte's Ormond, ii. *ad finem.*

† Ormond's letter to Glamorgan, in Birch's Inquiry, &c.

‡ Intercepted letters, Lords' Journ. Oct. 30. 1645. Parl. Hist. iii. 400. The readiness of Charles to cozen and sacrifice the Irish catholics is attested and rebuked by the queen. Writing to her husband from France, in November, 1646, she says (Clar. State Papers), “ Je m'estonne que les Irlandais ne se donnent à quelque roy étranger : vous les y forcerez à la fin, se voyant offerts en sacrifice.” It appears from Carte's Life of Ormond (i. *ad finem*), that she entertained suspicions of the purposes of the nuncio when he had a private audience of her at Paris on his way to Ireland.

§ See his letter to his wife, Birch's Inquiry, Parl. Hist. iii. 432.

|| See his letter in Birch's Inquiry, and Carte's Ormond, ii. App.

¶ Carte's Ormond, ii. 562.

renewed his efforts to obtain military aid from the catholics. The discovery of his secret treaty and the adverse intrigues of Rinuccini prevented his obtaining even 3000 men in time to relieve Chester. His mission produced only mischief to his master, but obtained himself the title of duke of Beaufort from Charles II.

The king still confided in the divine favour to regal despotism and his intrigues ; thus distorted was his mind by the dogmas and precepts of court divinity. He played a complex game of treaty and intrigue with the parliament, the presbyterians, the independents, and the Scotch army. Towards the close of the year (1645), he had made fresh offers of accommodation, the chief novelty of which was his proposal to vest the command of the army for ten years in certain commissioners expressly named, and to negotiate in person at Westminster. It would be uninteresting, as it is inconsistent, to go into the particulars of a negotiation which was fruitless in the end and hopeless from the beginning. The parliament, fully aware of his intrigues with the Irish catholics, the prince of Orange, the king of France, the duke of Lorraine, and the pope,— and of the little benefit he would derive from them,— resolved that the terms of accommodation should be submitted to him peremptorily in the shape of bills for his simple assent or dissent; and not only refused to treat with him personally at Westminster, but issued an ordinance prohibiting his appearance within the military lines of the capital.*

This resolution is a hackneyed theme of aspersion upon the parliament. It will suffice to observe, in justice to its authors, that they distrusted the blind impulses of a metropolitan populace,— always extreme,— and saw through the perfidious designs avowed in confidence at the very time by the king. He wrote to Digby that he was endeavouring to get to London, “ being not without hope that he should be able to draw either the presbyterians or independents to side with

* Journ. Lords and Commons, April, 1646. Rush. vi. 249. &c.

him for extirpating one or the other, and that he should be king again."*

The schism between the parliamentary leaders and their Scotch auxiliaries now hastened to a crisis, and afforded new elements to the intriguing temper of the king.

It is necessary to glance for a moment at the actual composition of the house of commons, the state of parties, and the progress of the new order, political and religious. The civil war greatly reduced the numbers of the house of commons. Two courses obviously presented themselves for restoring it to its full complement,— a general election,— the return of new members in the room of those who fell during the war or adhered to the king. To dissolve the parliament would be to expose the commonwealth without that governing head which was familiar and sacred to the people. The latter course was preferred. The speaker issued writs, and 235 new members were returned in the course of a few months, embracing the close of 1645 and beginning of 1646. Among them were Fairfax, Blake, Ireton, Ludlow, Skippon, Massey, Hutchinson, and Algernon Sidney.† These were all military officers, for Blake's genius showed itself no less in command of a garrison than on board a ship of war; and all, except Massey, were republicans. This was no transgression,— no evasion even—of the self-denying ordinance, as it passed both houses essentially modified‡; and the eligibility of members, which thus turned to the advantage of the army and the independents, was the work of the Presbyterians.

Whilst independency, or republicanism, was thus gaining ground in parliament, religious toleration, under the same auspices, was advancing in church government. A mixed commission of English and Scotch laymen and divines, known afterwards by the name of the Committee of Accommodation, was charged with the delicate task of providing the best means of establishing religious peace. The English presbyterians, strenuously sup-

* Carte, *Life of Ormond*, iii. 452.

† Godwin, ii. 40, 41. Ludlow, i. 169.

‡ See Vol. V. Chap. viii.

ported by the Scotch, contended for enforced conformity to the presbyterian doctrine and discipline ; the independents, backed by the force and services of the army, demanded "ease for tender consciences," in other words, religious toleration. "Honest men," said Cromwell, writing to the speaker after the battle of Naseby, "have served you faithfully in this action. I beseech you, in the name of God, not to discourage them. He that ventures his life for the liberty of his country should be left to trust God for the liberty of his conscience."* The assembly of divines and the corporation of London petitioned parliament for the establishment of religious peace by forced unity. A small minority of independent ministers in the assembly remonstrated against the presbyterian majority, and demanded complete liberty of Christian worship. This was called blasphemy by the presbyterians.† A second question arose — that of the power of the keys, or excommunication.

The pretension to decide who should be received within the pale of Christian communion in this life and of heaven in the life to come, has been arrogated by the priesthood of the church of Rome more boldly than by others ; but it is claimed by every Christian priesthood, of whatever church or sect, from Gregory VII. to John Knox. It is, moreover, a natural pretension of the spiritual order, considering its position and functions, and the disposition of man in society to exalt the particular order to which he belongs.

In fine, the great contest between the two parties may be reduced to this : the independents, comprising various shades of opinion, religious and political, but agreeing in the common bond of religious and political freedom, espoused toleration and the supremacy of the temporal power ; the presbyterians, laymen and ministers, espoused intolerance and spiritual supremacy. Eventually the parliament, by an ordinance, reserved its jurisdiction and authority in the last resort before spiritual censure could be carried into penal or practical effect — and thus the established as-

* Rush. vi. 46.

† Bailey's Letters, ii. *passim*.

cendency of the temporal or civil power over the spiritual was interposed between dissident conscience and intolerant unity. The presbyterians, however, were still a numerical majority of the house of commons ; and their form of church government, established prospectively for the kingdom, was put into operation in the province of London.

The independents and the Scots now viewed each other with mutual antipathy. Cromwell made no secret of his dislike of the Scottish people, and his abhorrence of their religion. The parliament, conceiving that they no longer needed auxiliaries, little satisfied latterly with their proceedings, and wishing to relieve the nation from the heavy charge of their subsistence, passed several votes which marked their disapprobation of the conduct of the Scottish army towards the close of the year 1645 * ; rebuked the pretensions set up by the Scotch commissioners in support of the terms of peace offered by the king ; and ordered a vindication of those commissioners, printed with their authority, to be burned by the common hangman.

The king's hopes of the presbyterian party were cut off by his determination to maintain prelacy. He employed Ashburnham to sound the independents through the younger Vane. There are remaining two letters addressed to him in the king's name, by Ashburnham.† The object for which Charles strained every nerve in this intrigue, as in his previous overture to the parliament, was his coming to London. He pledged himself, that if presbytery were insisted upon, he would join Vane and the independents, with all his power, "in rooting out that tyrannical government." There are no published means of knowing how far Vane listened, or whether he listened at all, to the solicitations and promises of the king.‡

* Journ. of Lords and Commons, Sept. and Oct.

† Clar. State Papers, ii. 226, 227.

‡ Dr. Lingard not only supposes Vane to have entered into a "hazardous correspondence," but conjectures that he did so for the treacherous purpose of detaining the king at Oxford until the main army should arrive from the West under Cromwell and Fairfax. Two letters from the king to Vane, without any sign of his having written an answer, cannot be called a "correspondence," and they are of the same day's date, — the one in the

Meanwhile an agent sent over by the court of France was negotiating secretly with the Scottish commissioners in London. A change, favourable to Charles, had taken place in the French court. Cardinal Richelieu and Louis XIII. were both some time dead. Anne of Austria ruled as queen regent, in the name of her son Louis XIV., under age, with cardinal Mazarin for her prime minister. Henrietta Maria arranged with the queen regent, the cardinal, and sir Robert Murray, Scotch agent at Paris, the mission of Montreuil. This special envoy came over with the guarantee of the crown of France to Charles that if he placed himself in the hands of the Scots army, they should receive him as their natural sovereign, without violence to his conscience, his honour, or his followers; protect his party to the utmost of their power,—with the like undertaking on his part to them; and, in fine, assist him with their armies in restoring peace and recovering his just rights. The guarantee* ran in the form of an engagement by the French court, at the request and in favour of the Scotch, by way of consulting the king's dignity as between him and his subjects.

Montreuil appears to have negotiated for about two months with the Scotch commissioners in London.† The great question was the covenant. They insisted upon the establishment of presbyterianism to the exclusion of prelacy, and with this clause adopted the French engagement. Montreuil now joined Charles at Oxford. He employed the most earnest arguments and entreaties to induce the king to establish presbytery, which was, he said, but consenting to what was already established.‡ Charles could be brought only to

form of an urgent supplement to the other; so that they afford no evidence even of an interval of pending negotiation. There is another more curious misapprehension of Dr. Lingard. The king, or Ashburnham for him, says in the first of the two letters, that Vane's compliance would bring "all things of benefit and advantage imaginable both to the *general* and to his (Vane's) particular." Here, "*the general*" means the public or commonweal. Dr. Lingard says it referred probably to *general* Fairfax, or *general* Cromwell.

* See Clar. State Papers, ii. 200.

† Ibid.

‡ See Montreuil's negotiations in Clar. State Papers, ii.; and Thurloe's State Papers, i. 71. *et seq.*

declare, that upon coming to the Scots army he would willingly submit to be instructed in the principles of their church. Such, exactly, was the answer given by Henry IV. to the leaguers when he made peace with them, and it was the prelude to his intended change of religion. Charles had no such intention ; but perhaps the notion lurked in his mind that the Scots, from the obvious analogy, should entertain the hope of his conversion.

With this declaration from the king, and his further warrant to command Montrose with his followers out of Scotland, to join the Scots army, Montreuil left Oxford for the Scots quarters before Newark in the beginning of April. His reception was most discouraging. The commissioners of the army disclaimed all cognizance of the agreement with those of London ; the generals were in the same disposition ; and the only terms which Montreuil could obtain were, that they would receive the king, accompanied only by his two nephews and his servant Ashburnham ; that they would send an escort of cavalry to meet him at Bosworth ; that he should proceed as if his destination were Scotland, and his coming to their camp compulsory — in order, they said, to avoid offence to the parliament. They objected, decisively, to the king's proposal of a junction with Montrose.

Montreuil communicated all this to the king, declined advising him in a situation so perilous, said that it was a resource only of desperation, — for the Scots promised nothing but the safety of his person — *but upon this he might rely.** It was some time before the French envoy could communicate freely with the king † ; and Charles, between his irresolution and his intrigues, did not immediately accept the offer of the Scots. His rooted abhorrence of the covenanters, whom he regarded as the authors of all his misfortunes, inclined him rather to accept any terms from the army of the

* See Montreuil's Neg. ut supra.

† Ibid.

English parliament.* He accordingly sounded colonel Rainsborough, governor of Woodstock ; but his envoys, lord Southampton and Ashburnham, received no encouragement.† Ireton served as commissary-general to the besieging army of the parliament before Oxford. The king attempted to open a negotiation with him through sir Edward Ford, his brother-in-law, who appears not only to have received no favourable answer, but to have been detained a prisoner.‡

Meanwhile the king's position at Oxford was one of pitiable distress and extreme peril. Deserted by some of his followers, treated rudely by those who remained §, he passed his time in disconsolate musing over his misfortunes and his papers. The royal forces in the west were, it will be remembered, under the command in chief of the prince of Wales attended by a council, and having lord Goring and sir Richard Grenville in command immediately under him.

Goring might be taken as a characteristic specimen of the cavaliers. He united courage and capacity in the field with wit, gaiety, and dissoluteness, and indulged his troops in the licentiousness of which he set them the example. Grenville, on the other hand, kept some check upon the soldiers, but was himself a most rapacious plunderer. Both rendered the king's forces and his cause odious in the west. Goring retired to France under suspicion of treachery || ; Grenville, turbulent as well as rapacious, threw up his commission, and was imprisoned by the prince.¶

The command was given to a man of better character, sir Ralph, created lord Hopton. He rallied the remains of the army of the west, and took up a strong position at Torrington. Fairfax having, with the assistance of Cromwell, disbanded the club-men in Somersetshire and Dorsetshire **, dislodged Hopton, and

* Ashburnham's Narrative, &c., ii. 68. (1830.)

† Ibid. 70.

‡ Locke, apud Neale, ii. 219.

|| Clar. v. 261.

** Rush. vi.

¶ Ibid.

|| Ibid.

drove him back into Cornwall. The consternation of the royalists was such, that the prince of Wales passed from Pendennis castle, with his council, including Hyde (Clarendon) and lord Colepepper, to the Isle of Scilly. Hopton, finding his troops so disheartened and demoralised as to be incapable of facing an enemy in the field, disbanded them in pursuance of a capitulation granted him with marked generosity as well as personal courtesy by Fairfax, and joined the prince of Wales.

The king's last remaining force in the field consisted of about 3000 men, chiefly cavalry, under sir Jacob Astley, who moved from Worcester into Gloucestershire, with the purpose of being joined from Oxford by the king; but was intercepted by colonel Morgan at Stow, and made prisoner, with sir Charles Lucas, several other officers, and more than half his men. "Now," said Astley to the parliamentarian officers, who brought him prisoner to the head quarters,—"now you have done your work, my masters, and may go play, unless you choose to fall out among yourselves."

Oxford was one of the strongest places in the kingdom, but it was surrounded by the parliamentarians with 2000 foot and 300 horse *; and the army of the west, under Fairfax and Cromwell, without an enemy in the field, was advancing to invest it by a more close and complete siege. It might stand a siege of some weeks or months, but must ultimately surrender. Charles resolved to escape secretly with only two attendants, Ashburnham and a clergyman named Hudson.

Ashburnham clipped the king's beard, and disguised him as his groom; and thus equipped, they rode out of Oxford by Magdalen Bridge, at 3 o'clock on the morning of the 26th of April. It is asserted by Ashburnham †, that Charles left Oxford with his mind made up to place himself in the hands of the Scots, but informed his council that his destination was London. It would yet appear from Hudson's account,

* Letter of Sec. Nicholas, Clar. State Papers, ii. 226.

† Narrative, &c., ii. 72, 73.

and from the route taken by the king, that his mind was undecided, and that in the first instance he inclined to the hazard of entering the capital. They rode without interruption from Oxford through Dorchester, Henley, Slough, Uxbridge, and stopped two hours at Hillingdon. "Here," says Hudson, "the king was much perplexed what course to resolve upon — London or northward." The vote of parliament decided him for the latter.* He accordingly crossed over from Hillingdon to Harrow, and proceeded by St. Albans and Royston, to Downham in Norfolk. Here he halted four days, awaiting the return of Hudson, who had been sent forward from Southwell to the quarters of Montreuil†, near Newark. Upon presenting to Montreuil his instructions from the king, requiring him to make honourable conditions with the Scots, without which the king "would otherwise dispose himself," the French agent informed him that the Scots agreed to the demands made by the king before Montreuil came to Oxford, *but would give nothing under their hands*. Hudson, however, obtained from him a written note of their terms, and also a note to the king advising his acceptance of them. They are as follows, in Hudson's words : —

"1. That they should protect the kinge in his person and in his honour.

"2. That they should presse the kinge to do nothing contrarie to his conscience.

"3. That Mr. *Ashburnham* and I should be protected.

"4. That if the parliament refused, upon a message from the kinge, to restore the kinge to his rights and prerogatives, they should declare for the kinge, and take all the kinge's friends into their protection ; and if the parliament did condescend to restore the kinge, then

* See an extract from Hudson's MS. printed in Gutch's *Collectanea Curiosa*, ii. 452, &c., and at greater length in Peck's *Desiderata Curiosa*.

† Ibid. Mr. Godwin, who appears to have overlooked Hudson's account, ascribes this halt to the same irresolution which was shown by the king at Ragland castle.

they should be a meanes that not above four of them should suffer banishment, and none at all death."*

The king, after nine days' travelling, and passing through four posts of the enemy †, reached Southwell on the 5th of May, at seven in the morning, and was soon attended by some of the Scotch commissioners. They met in the quarters of the agent of France. The Scots were profuse of their gratitude for his majesty's confidence, and desired to know how they could best evince it. He replied,—by a cheerful performance of the conditions upon which he had come to them. The commissioners, more especially their president, lord Lothian, expressed surprise at the mention of conditions, and declared that they knew of none; that they were ignorant of Montreuil's negotiation with the Scotch commissioners at London: and that if, as his majesty urged, they had invited and offered to escort him to their camp, it was only on the supposition that he selected their camp as the place where he would come to a settlement with his two kingdoms. In fine, they demanded of him that he should subscribe the nineteen propositions ‡, and take the covenant; and upon his refusal to do either, placed him in the state of a prisoner, under a military guard.

The treatment of Charles I. by the Scots, if not a question of great historic importance, is at least curious and litigated. It may be advisable in this stage to fix the precise relation between the Scots and the king. Hudson's memorandum, hitherto unnoticed, though a considerable time in print, will be found a new and essential matter of consideration. It is argued for the Scots, that the army repudiated the treaty of Montreuil with the London commissioners; that Montreuil communicated to the king the only terms upon which they would receive him in their camp §; that he forfeited even those terms by not formally accepting them; that his coming was unconditional and unexpected,

* Col. Cur. ii. 455.

† Ashb. Narrative, &c., ii. 75. ‡ See Vol. V. p. 305.
§ See his letters, Clar. State Papers, ii.

How do these several positions consist with the leading and indisputable facts? The eagerness of the Scots to possess the person of the king manifested itself before the negotiation of Montreuil. "There is," says Ashburnham, in a letter to lord Colepepper, dated 13th December, 1645, from Oxford, "a messenger very happily arrived from the lord Sinclair, who hath brought a letter to his majesty from him and David Leslie, wherein they most earnestly invite his majesty to come to their army, with great promises of security, and complaints against the parliament."* The same eagerness is manifested in their conduct to Montreuil. After repudiating his treaty with the London commissioners, they tried to prevent his communicating with the king — evidently with the hope that Charles would proceed at once to their camp on the supposition that they adopted that treaty. "On m'a oste," says Montreuil, in a letter to secretary Nicholas, "tous les moyens d'avertir le roi de ne point partir d'Oxford."†

It is true the king did not run into the ambush thus prepared for him, and he was perfectly aware of the rejection of the terms of the treaty by the Scots. But the assertion of Leven and Lothian on his arrival, that they knew nothing of that treaty, was a rank violation of truth; for a conference had taken place between the Scottish commissioners of the army and those of London on the subject at Royston.‡ Abandoning all this, the memorandum of Hudson remains. Is it true that it sets forth faithfully the verbal engagements of the Scots to the king through Montreuil? Ashburnham does not mention it in his narrative, but neither does he mention the mission of Hudson; and the existence of a verbal understanding to which the Scots would not commit themselves in writing may be inferred from Montreuil's letter to Nicholas. "On m'asseure," says he, "qu'on fera plus qu'on ne me peut dire."§ From all this, the following conclu-

* Clar. State Papers, ii. 197.

† Ibid. p. 221.

‡ Ash. Narrative &c., 78. Clar. State Papers, ii. 221. (Montreuil's Lett.)

§ Clar. State Papers, ii. 224.

sion seems warranted, — that the Scots, from the commencement of their differences with the parliament, laboured earnestly and systematically to obtain possession of the king's person; and that they used unscrupulous means to obtain it without condition; so that in their dispute with the parliament they might avail themselves of his remnant of power and authority,—or sacrifice him.

Great alarm was excited by the king's escape, whilst his route was unknown. It was suspected that he lay concealed in the capital; and an order of both houses against harbouring or concealing him, on pain of death and forfeiture, was proclaimed by sound of trumpet through London and Westminster.

The Scots, apprehensive of an instant breach with the parliament, and called upon by the parliamentary commissioners with the English army to surrender to them the person of the king*, induced him to sign an order for lord Bellasis the governor to surrender Newark to the parliamentarian general Pointz by way of peace offering, and marched northward. Charles, after a vain and weak effort to negotiate with the English army through colonel Pierrepont†, willingly accompanied them, with the hope of their crossing the border and joining Montrose.‡ They halted at Newcastle, looked behind, and saw no enemy. The Scotch commissioners in London had given meanwhile such explanations to the parliament as prevented the march of Fairfax in pursuit and immediate hostilities.

The unhappy prince, after he had been some days at Newcastle, found means to send a confidential letter to the queen, informing her that the Scots had treated him with barbarous perfidy; that he was in strict durance; that she, the prince, and his faithful councillors were

* Ashb. Narrative, &c., ii. 78, 79.

† Ibid.

‡ This, according to Clarendon, was their clear and obvious interest, since, he says, "they had not the courage to look the English army in the face." Clar. Hist. v. 551. Charles, before he left Oxford, contemplated a junction between Montrose and the Scotch army, either in Scotland or England. See his letter to Ormond, Rush. vi. 266. Montreuil (Thurloe, t. 87.) writes of his "*passion d'aller en Ecosse.*"

to regard every future order from him as forced or surreptitious, and exercise their best discretion for his crown and interests.* This letter of the king in his situation should not be too severely judged.† He about the same time sent a pacific message to the two houses of parliament, stating that in going to the Scots' camp he had no disposition to embroil his two kingdoms, and offering to disband the garrison of Oxford as a proof that he meant not to protract the war. No immediate notice was taken of this message by the parliament.

Lanerick, Loudon, and Argyle came to Newcastle as commissioners from the states or parliament of Scotland. They advised or demanded from him an order for Montrose to disband his followers and retire to France: he gave the order. With the same facility he sent at their request his commands to the governors of Oxford, Worcester, and the few other places which held out for him, to surrender.

The great and fatal question of the covenant still remained. It was urged upon him by the Scots with one voice that his subscription to it — that is, to the abolition of episcopacy and establishment of presbytery — was indispensable. The idea crossed his mind that he might take it with a mental reservation and safe conscience. He submitted his scruples to Juxon, and put the case to him in the words following: — “ I conceive the question to be, whether I may with a safe conscience give way to this proposed temporary compliance, with a resolution to recover and maintain that doctrine and discipline wherein I have been bred.” He concludes thus: — “ My regal authority once settled, I make no question of recovering episcopal government; and, God is my witness, my chiefest end in regaining my power is to do the church service.” There is in the general tone of the king's letter to Juxon, and in the asseveration with which it closes, something like canvassing the sanction of the bishop.‡ The answer

* Digby's letter to Ormond, Carte, iii. 488.

† It is much too severely judged by Mr. Godwin.

‡ See the letter, in Ellis's Orig. Lett. iii. 325. (2d series.)

is not extant, at least has not been published ; but from the king's not acting upon his own casuistry, it is evident that Juxon advised his master in this instance with the same directness and integrity as in the case of Strafford.

Charles had engaged, through Montreuil, to submit willingly to instruction in the tenets of presbytery, and take the covenant — if his conscience were convinced. Alexander Henderson, the most eminent divine of the church of Scotland, and one of the most learned and able theologians of his time, was invited to the Scottish camp, with the hope of his converting the king. A memorable controversy was carried on between them.* Henderson, according to Clarendon, was vanquished, and died of grief. Both the cause of his death and the issue of the dispute have been questioned. The perusal of the written arguments will hardly repay the curious who may refer to them ; but supposing Henderson worsted, the question remains, whether the papers bearing the king's name were prepared by himself. To establish the affirmative would require evidence the most decisive, instead of being, as it is, indecisive and suspicious.†

* For the papers alleged to have passed between them, see the works of King Charles.

† The question of the genuineness of these papers is surrounded with difficulties. By some it is maintained that no papers passed between the king and Henderson ; and that the whole is a fabrication of that age of pious frauds and royal forgeries ; by others, that if papers did pass, there is no proof of their identity with the existing documents. (See Godwin's History of the Commonwealth, ii. 179, note x., &c.) It seems too much to maintain that no papers had passed. Fabrications have in general a foundation in truth : that most successful of all the pieces of sanctified imposture produced at this period, the *Eikon Basilike*, had some such foundation. But admitting to the royalists that the papers now extant are those which actually passed between the divine and the king, his captivity with the Scotch — which is their sole argument of genuineness — was not such as to cut him off from all communication and aid in the dispute. It appears from his letter (above cited) to Juxon, that he had the means of corresponding confidentially with that prelate ; that he authorised Juxon to consult with the bishop of Salisbury (Dupper) and Dr. Sheldon, and desired to have their arguments in full. May not the arguments bearing the king's name, and addressed by him to Henderson, have been thus furnished to him by Juxon and the two other divines ? Again, Burnet, the chief witness for the genuineness of the papers, says (*Lives of the Hamiltons*) they were copied from the king's MSS. by *sir Robert Murray*, who told him so a few days before his death. This is very positive and circumstantial. But Burnet's stories, the most positive and circumstantial, have been in many instances so completely discredited as to prove him a

Charles, soon after his arrival at Newcastle, made overtures for peace.* The crisis was one of peril and perplexity to the parliament, between the interests of the public cause and the interests and intrigues of parties. No immediate answer was given.

Meanwhile the Scotch again urged the king to take the covenant, as his last and only hope. Bellievre, a French envoy, sent over in the room of Montreuil, who was recalled and disgraced for the failure of his mission†, pressed the same advice upon him in the name of the French court and the queen Henrietta. Sir William Davenant, the poet, was sent over expressly by the queen to urge and entreat in her name the king's compliance with the covenant.‡ No force of argument or influence could prevail with him, and his inflexibility sealed his doom. His resistance has been ascribed to the political affinity between prelacy and despotism; not to religious conscience, which he declared to be the sole barrier between him and the covenant. This appears a great injustice to his memory. He had now every temporal motive for complying with the presbyterians. There is not in the whole of his calamitous reign a situation in which he appears to greater advantage compared with his opponents. He was willing to sanction the exclusive establishment of presbytery in Scotland, to grant equal and

very careless or very unscrupulous witness; and how is it that the originals in the king's hand, if they really existed, have disappeared without a vestige of evidence (with the exception of the foregoing) even of their existence? But Burnet's story may be viewed under another aspect, in support of the conjecture above hazarded, that Charles was assisted by Juxon, and possibly the two other divines. He says, the king's copyist was *sir Robert Murray*. Now the person employed by the king, between him and Juxon, was *William Murray*. "None knows of this," says he in his letter, "but Will. Murray, who promises exact secrecy." (Ellis, Orig. Lett. iii. 327.) *William*, then, and not *sir Robert*, Murray, was the king's copyist; and it may be inferred from the foregoing that the papers which he copied were Juxon's, and not the king's. *William Murray*, it may be added, upon Ashburnham's flight to Holland, was the king's confidential servant, and endeavoured to contrive his escape from Newcastle.

A forged declaration of Henderson on his death-bed, acknowledging his errors, and asking pardon of God for his sins against God and the king, was made public at the time; and, though formally denounced by the Scotch general assembly, and the friends of Henderson, as "a lying and scandalous pamphlet," continues to be treated by some writers to the present day as genuine and unquestioned.

* Lords' Journ. 25th May, 1646.

† Clarendon, v. 384.

‡ Id. v. 415.

full toleration for presbyterians and independents in England, and he demanded only the preservation of episcopacy and the Common Prayer-book for himself and others of his communion in return. The Scots, who nobly and courageously resisted the attempt of Laud and Charles to impose upon them the yoke of prelacy, would now impose a form of worship equally abhorrent, and under circumstances less pardonable, upon the conscience of the king and a large portion of the nation. But religious zeal, when fanatical or unenlightened, knows neither consistency nor reason.

On the 23d of July six commissioners, of whom two were peers, the rest commoners, presented a series of propositions to the king at Newcastle. They were, with some inconsiderable variances, the same which were offered to him at Uxbridge. Loudon, chancellor of Scotland, not only advised him most earnestly to accept them, but intimated that the parliament, if he refused, would demand the surrender of his person.* The same menace had been less distinctly thrown out to him on his way from Newark.† He gave an evasive reply. The subject matter, he said, was too serious to be determined without deliberation and his presence in London to communicate personally with both houses. This answer was regarded as equivalent to a refusal, and has been ascribed to false hopes secretly held out to him by Cromwell and Ireton, on the part of the army and the independents; but of this there appears no sufficient evidence.‡ It is not the only instance in which Cromwell, Ireton, St. John, and Vane are supposed to have been actuated by profound Machiavellism when they were governed by circumstances, and pursued their course, or changed their counsels, in good faith.

Serious alienation and specific disputes had grown up meanwhile between the parliament and the Scots.

* Rush. vi. 320.

+ Ashb. Narrative, &c.

‡ See Colonel Bamfield's Apology, published in 1685, and the reference to it in the editor's preface to the sixth volume of Rushworth.

On the 19th of May the commons voted that England had no further need of them.* The latter expressed their readiness to return home upon payment of their arrears. The small and utterly inadequate sum of 100,000*l.* was voted to them by the parliament, whilst they demanded 600,000*l.*† Eventually the amount was agreed upon at 400,000*l.*, of which half should be paid before the Scots left England, with the security of the public faith for the remainder.

The second question was the disposal of the king. A vote passed the house of commons, on the 12th of August, that the Scots should be required to surrender him to the parliament. In the following September it was resolved by the lords and commons that his person should be disposed of by both houses.‡ The Scots commissioners maintained that the king's person should be at the joint disposal of the two kingdoms. They contended that they had a common right and interest with the English in the person of their common sovereign.

Charles, meanwhile, seems to have thought his safety dependent upon the continued presence of the Scots army in England.§ The Scotch parliament on the 10th of December voted that monarchical government and the king's title to the crown of England should be maintained: but the next day this vote was rescinded by a majority of two, on the ground that he had refused the covenant.|| Such are the fluctuations produced by party intrigues and the excitements of the passions. Charles resolved against the covenant, and apprehensive now of being delivered up by the Scots, concerted with William and sir Robert Murray a plan of escape in disguise. It was discovered and defeated.

The two discussions respecting the arrears of the

* Com. Journ. May, 1646.

† They are stated, i.e. various histories, to have demanded the enormous sum of 2,000,000*l.*, but 600,000*l.* is the amount stated in the Journals.

‡ Journ. Lords and Commons, Sept. 1646.

§ See his letter to Hamilton, Rush, vi. 329.

|| Godwin, ii. 218.

Scots and the disposal of the king's person proceeded 1647. concurrently, but without visible connection. Early in January the Scotch parliament made a last effort to obtain the king's assent to the covenant. Upon his refusal it was resolved that the treaty for the retirement of the Scotch army should be carried into effect, and the king's person delivered to the English parliament. On the 30th of January the Scots delivered up the ill-fated Charles to the commissioners* sent by the parliament, evacuated Newcastle, Carlisle, and Berwick, and returned home.

It is charged upon the Scots that they bartered for money the national honour, and the person of one whom they never ceased to acknowledge their king. How far they availed themselves of their power over his person expressly or tacitly to increase the amount or obtain prompt payment of their arrears, can be judged only by inference or surmise from all the circumstances. There is not a trace of express proof.

But a second question remains, upon which there is less room for doubt, the morality of their surrender of the king. The Scots, it has been shewn, intrigued earnestly and unscrupulously to bring him to their camp ; he came freely, upon the implied if not admitted engagement of, at the very least, the safety of his person† : they deprived him of his freedom ; and they delivered him to the very party from whom he fled to them for refuge. If they were not in a condition to protect him against the parliament, they should not have received him ; and having done so, they should have restored him to his previous state of freedom, with the chances of escape to Ireland, Holland, or France.‡

The chief odium has been thrown upon the Scotch army.§ But the army had only its share with the

* The commissioners were, lords Pembroke, Denbigh, and Montague; sir Jaines Harrington, sir John Holland, sir Walter Earl, sir John Cook, John Crew, and major-general Browne.

† See Montreuil's Letters, Clar. State Papers, ii. Even where his language is most discouraging, he tells the king that he may reckon with certainty on the security of his person.

‡ Ashb. Narrative, &c., 65.

§ Brodie, iv. 76.

commissioners and parliament of Scotland. All the parties conspired to make one of the most unworthy pages in the history of a proud and a gallant nation.

A single but important circumstance may be stated in extenuation for the Scots. They surrendered the king into the hands of the presbyterians, who were, to a man, monarchists, and had now the ascendant.

It is here necessary to glance at the state of parties. The elections for restoring the full complement of the house of commons procured an accession of strength to the independents. Two leading members of that party, Henry Marten and Nathaniel Fiennes, who had been expelled,—the former for an inconsiderate sally of republicanism, the latter for his surrender of Bristol,—were recalled to their seats.* This advantage was transient. The independents were in advance of the national mind, and the new members, comprehending neither their views nor principles, soon deserted them for the presbyterians.

This party had pursued its objects with steady majorities during nearly twelve months before the departure of the Scots. Presbyterianism was made the exclusive worship and church government of the nation. Ordinances soon followed for the express abolition of prelacy, and for the sale of bishops' lands.† With the possession of the king's person they considered, not without some reason, that their triumph was complete and permanent.

But their power was precarious and perishable from its nature. It was based upon bigoted passions and narrow principles, and sustained only by moderate capacity and mere numbers. In abolishing episcopacy their object was to impose the more severe and intolerant form of presbyterianism—in tying up the hands of the king by depriving him of the command of the army for twenty years, their aim was to perpetuate the actual parliament and their own rule. Their views

* Com. Journ., Sept. 1645, Jan. 1646.

† Journ. Lords and Commons, Sept. and Oct. 1646.

embraced no reform of political institutions, no establishment of public rights and liberties.

Opposed to them were the independents, men of great capacity and daring purpose, who avowed their resolution “not to suffer the free-born people of England to be enslaved under any pretence whatsoever”* ; who spurned alike temporal and spiritual chains ; who pursued their designs with a steady, single-minded, and sagacious perception of the means to the end ; who could oppose Cromwell, Ireton, St. John, Vane, to Holles, Stapleton, Waller, Massey, Glyn, Maynard ; who had every superiority but the vulgar one of numbers, and who had at their devotion the army under Fairfax.

Hitherto the two parties, notwithstanding their differences, were kept together by the presence of the common enemy.† The surrender of the king’s person and departure of the Scots proved the signal for a decisive and violent schism. For a just apprehension of the quarrel, it is necessary to bear in mind the character of the independents and the constitution and character of the army. That army had in it nothing prætorian or mercenary. It was composed of men who took arms in defence of a great public cause,—who drew the sword not for pay and plunder, but for their altars and their hearths. The Quirites who retired to mount Aventine were not better Romans than those were Britons. The question is not to be viewed as between a constitutional parliament and a usurping army, but as between the presbyterian majority on the one side,—the independent minority supported by the army on the other ; in short, as between two great political parties, who are to be estimated not by words or names, but by their respective measures and principles. It is true that resort was had to lawless force, but the resort to force is inevitable in the process of revolution.

* Counter-petition of the independents, Rush. vi.

† May, Short Mention, &c.

CHAP. II.

1647—1648.

THE KING A PRISONER AT HOLMBY.—CONTEST BETWEEN THE ARMY AND THE PARLIAMENT.—GENIUS OF THE INDEPENDENTS.—THE KING CARRIED OFF BY CORNET JOYCE.—ATTEMPTS OF THE PARLIAMENT TO DISBAND THE ARMY.—TRIUMPH OF THE ARMY OVER THE PARLIAMENT AND THE PRESBYTERIANS.

THE king, conducted by the commissioners, in pursuance of a vote of both houses, from Newcastle to the palace of Holmby, or Holdenby, in Northamptonshire, was met on his way by multitudes of the people, who approached him with reverence and pity.* It would have been difficult, indeed, to behold without emotion so great a reverse of fortune, borne, moreover, with so much composure and dignity. Charles was disposed to abuse power, but no one bore affliction better. He desired, on his arrival, the attendance of one of his chaplains. The presbyterians, in the spirit of their sect, denied his request. They would even intrude upon him the ministry of two presbyterian divines. He prayed alone in his closet†, and divided the rest of his time between his papers and playing at bowls, the fashionable amusement of that age.

Ashburnham fled from Newcastle to Holland, with the connivance of the Scots, upon their being required by the parliament to give him up as a traitor.† Legge and the Murrays were forbidden the presence of their captive master. The attendants upon his person selected by the parliament were Herbert, who has left memorials

* Several persons were touched by him for “the king's evil,” on his way. Henry Martin, who combined wit and levity with republican, if not religious, enthusiasm, suggested that the touch of the great seal of the parliament might be found to possess the same virtue.

† Clarendon, v. 423.

‡ Ashb. Nar., &c.

of his captivity and death ; and Harrington, author of the *Oceana*.

He continued a prisoner, almost unnoticed, for several weeks at Holmby. Meanwhile the strife between the independents and presbyterians involved his fate, and hastened to a crisis. The grand object of the presbyterians was to dissolve, by means of their majority in parliament, the army under Fairfax, which constituted not so much an auxiliary as the integral strength of the independents.* London was the great focus of presbyterianism and intolerance. Upon the disappearance of the king's standard from the field, and his flight to the Scots, a petition to both houses, praying for strict conformity in religion, subscription to the covenant, and the dissolution of the army, was got up by the presbyterians in the name of the city.† This preliminary manœuvre was soon followed by a decisive movement. The reduction of the army to a peace establishment was proposed in the house of commons on the 9th of February. The dismantling of the garrisons in England and Wales, with the exception of forty-five, and the reduction of the army, after drafts of horse and foot for the service of Ireland, to about 5000 horse, to maintain public tranquillity, and the force of infantry required for the reserved garrisons, were carried after earnest and long debate, without due provision made for arrears of pay. It was further voted that no member of parliament should have a military command ; that there should be no officer of higher rank than that of colonel, with the exception of Fairfax ; that every officer should take the covenant, and conform to the presbyterian ordinance in religion.‡

These resolutions would disqualify Cromwell, Ireton, Ludlow, Algernon Sidney ; Skippon, who of late took part with the independents ; the heroic Blake ; Hutchinson, who combined the virtues of a republican with the

* The chief officers were also members of parliament.

† See Godwin, *Hist. of the Com.* ii. 268. &c.

‡ *Journ. Com.*, Feb. and March, 1647.

accomplishments of a cavalier. A motion for the removal of Fairfax was defeated only by a majority of 159 to 147.* Thus successful in seeming was the career of the presbyterians.

A question of vast importance in its actual and contingent bearing here presents itself. Was it the duty of the minority in parliament, and of the army, to submit to these votes? It should be remembered that their submission would have led to the immediate establishment of a church democratic in its constitution, but more intolerant and exclusive than the despotic prelacy of Laud; to the perpetuation of the supreme power in the same faction; and to that which is most alien to popular representation and free government—the prolongation of the same parliament. In the next place, the reduction of the army was but a pretence on the part of the presbyterians; it was their secret purpose to create a new army upon a new presbyterian model, for the execution of their designs by superior force. †

The genius of the independents appears equally manifest in action and in repose. Whilst parliamentary opposition was hopeless, and extrinsic resistance premature, they occupied their places in the house of commons as little more than lookers on. They concurred in the vote for disbanding the large corps of Massey, called the Army of the West. This operation was conducted with vigilant haste by Ireton, under the orders of Fairfax, in October, 1646. ‡ The short-sighted presbyterians, whilst they imagined they were making the first step in reducing the military force, really played the game of their adversaries. They deprived themselves of the troops least inclined to independency, and commanded in chief by a presbyterian officer. Their next, and more serious error, was their hurry to send away the Scots.

* Journ. Com., March 5. 1647.

† See Godwin, Hist. of the Commonwealth, ii. 262.

‡ Ludlow's Memoirs, i. 181. The lords remonstrated in vain with Fairfax, for disbanding the troops in pursuance of a vote of the house of commons only. Lords' Journ., Oct. 1646.

It was not till the army of Fairfax was directly menaced, that the independents put themselves in motion to give battle. They were outvoted ; but they gained strength by protracted debate and frequent division, and in the meantime they prepared and organised extrinsic resistance.

The army may be regarded as a great popular assembly embodied under arms. It was chiefly swayed by two men who possessed the highest influence, not only as officers but as political leaders — lieutenant-general Cromwell, and commissary-general * Ireton. Cromwell obtained his influence by valour and skill in the field, frank familiarity in the camp, enthusiasm in the public cause, — not by vulgar arts and grovelling hypocrisy.† Ireton was a good soldier, of severe virtue and republican principles, who had studied the history of nations, and was particularly conversant with the history, government, and jurisprudence of his own. The mind of Fairfax was influenced, according to some — his simplicity was abused, according to others — by Cromwell, next to him in command ; and Cromwell was swayed and overawed, in his turn, by his son-in-law, Ireton.

The army, during the discussions in parliament, was quartered in and round Nottingham. In the beginning of March Fairfax broke up his cantonments, moved towards London, and halted in Essex, at Saffron Walden. Both the commander and the army are supposed, rather than shown, to have been actuated in this bold measure by Cromwell and Ireton. There can be no doubt that the soldiers were previously tampered with ‡, and the movement prepared.

* It is scarcely necessary to suggest that this designation is not to be confounded with the commissary-general of a modern army. Ireton obtained it to qualify him for the command of the cavalry of the left wing in the battle of Naseby.

† The common reader would be astonished and disgusted at the contemptible sources from which slanderous stories about Cromwell have been derived and transmitted by royalist, but particularly clerical, historians, such as Echard and Kennet. Those stories are as unworthy of notice as of belief.

‡ See *Short Memorials of Thomas Lord Fairfax*, for an account of the soldiers meeting to petition in February.

The march of the army made the presbyterians tremble. Hitherto, every proposition respecting payment of its arrears was negatived or evaded by them. They now voted an assessment of 60,000*l.* a month for its subsistence. A petition, in the interest of the independents, was at the same time circulated for signatures in the city of London, the strong-hold of presbyterianism. This document demanded some startling reforms, which exhibited revolution and republicanism unmasked. It remonstrated against the payment of tithes, the hardships of enforced religious conformity, the insolent contumely with which presbyterians designated those who would not conform to the presbytery ; the mischief of the house of lords ; and was addressed to the *supreme authority of the nation in the commons house of parliament.* The common council immediately presented a counter petition to both houses, praying that the rival one should be suppressed, and its authors punished ; that the army should be removed and disbanded ; and that the city should have the privilege of nominating the commissioners, or commanders, of its own militia.

The presbyterians, having recovered from their first surprise, voted that the independent petition should be condemned * accordingly ; that the city should appoint to the command of its militia ; that the army should not come nearer London than twenty-five miles ; and the committee of government at Derby House sent a deputation to the head quarters.

Fairfax received the deputation with honour, and summoned a convention, so called, of officers to meet them. The deputies, according to their instructions, made a formal communication of the assessment voted by the commons ; offered two months' pay to the troops which should be disbanded ; and proposed to make the requisite drafts for the service of Ireland. The officers demanded in reply, what regiments and commanders were destined

* The commons imprisoned one man ; but " many," says Whitelock, " excused him, as being as lawful for those of one judgment as another to petition parliament." (Mem. 240.) He adds (*ibid.*), that " divers citizens came to the house to avow the petition."

for that kingdom? what force was to be maintained in England, and by whom commanded? what security was given for arrears and pay? The deputation could give no satisfactory answer, and, after a second and fruitless attempt next day, returned to Westminster. Sir William Waller and sir John Clatworthy, two of the deputies, gave an account of their frivolous, as well as fruitless, mission, in their places.*

Meanwhile a petition, or rather remonstrance of grievances, was got up with some privacy in the army. The presbyterian majority summoned and questioned at the bar of the house, several officers, one of whom was colonel Pride, as its promoters; and declared by vote that those who persisted should be punished as mutinous offenders, enemies of the state, and disturbers of the public peace. There was, in this vote, more of headlong imbecility than vigour or resolution. Holles is said to have proposed and carried it by surprise, when the house was thinned by a long sitting.†

The house of lords, menaced and contemned by the commons, by the independents, and by the army, had negatived an ordinance which passed the commons, for satisfying the pecuniary demands of the troops, and immediately concurred in this vote,—as if to give signs of life and strength by violence and indiscretion.

The commons, or rather the presbyterians, now proceeded to dispose of the army by votes and ordinances under the strangest self-delusion. Greatly below their opponents in mental and moral power, their material strength consisted only in the militia of London, which was placed, by two ordinances, under the command of their partisans.‡ The presbyterian majority, accustomed to the ready execution of its votes, acted as if there was in votes and ordinances some inherent force to give them effect. But the parliament, as a constituted authority, had survived its moral force. Such an assembly so circumstanced, by attempting the violent exercise, could

* Waller's Vindication, &c.

‡ Com. Journ., April 15. May 4. 1647.

† Ludlow's Memoirs, I. 191.

only hasten the forced abdication, of its functions. The house of commons, notwithstanding, proceeded to resolve with the utmost self-complacency what regiments should be disbanded and maintained, what regiments should proceed to Ireland, and who should command them*; and a second deputation was sent to the head-quarters of the army, with a view to make arrangements for executing its resolutions.

The former deputies, with the addition of lords Warwick and Dacre, and general Massey, proceeded to the head-quarters on the 14th, and conferred with the officers on the 15th of April.† This mission proved no less vain than the former, and still more mischievous. The army made it the condition of its service in Ireland, that the present officers should be continued in the command. This was not only an act of revolt, but a declaration of independence, and an attempt of the deputies to create division by encouraging volunteers for Ireland only proved its futility.‡

The repugnance of the army, it should be observed, was not to the service of Ireland, but to the evident purpose of reducing and recasting it under presbyterian commanders. Warwick, the organ of the deputation, was answered by general shouts, that the whole army was ready to proceed to Ireland under its present officers.§ The service was tempting to the cupidity of the soldiers. Lord Lisle, who succeeded Ormond as lord-lieutenant, had just abandoned that kingdom to the rebels, and was on his way to England.|| A rich harvest of confiscations was in prospect, and the pay and arrears of such as would engage for Ireland were secured by an order of the house of commons on rebels' lands.¶

It was debated with some warmth, but only for a moment, "whether," says Rushworth, "the army should be disbanded, and what pay to give them before

* Skippon was named commander-in-chief, and Massey his lieutenant-general; with the hope, most probably, that the former, who was popular with the army, would, from his age and infirmity, either decline the command, or be governed by the latter, a presbyterian.

† Rush. vi. 454.

§ Ibid. 458.

‡ Ibid. 458. *et seq.*

|| Ibid. 472.

¶ Ibid. 454.

disbanding ; or whether it were not more convenient to send the army entirely into Ireland, for reducing that kingdom *," — that is, to close with the army on its own terms. The question was adjourned from the 23d to the 26th of April.

Meanwhile more favourable accounts of the disposition of the army towards serving in Ireland were received from the deputation, and read on the 26th in the house.† Some officers, for the most part captains and subalterns, accepted the service ; but they were followed only by mere fractions of their companies—some by not even a man.‡ The presbyterians, encouraged by these faint symptoms,—regarding, perhaps, the dispersion of the army of Fairfax as essential to their safety or success, and fearing that the conquest of Ireland by that army would be a conquest made not for the parliament, but for the independents,—urged on by the passions and presumption of their leaders, especially Holles, resolved to draft and disband the regiments at their pleasure ; and ordered four officers to be placed by the serjeant-at-arms at the bar of the house, to answer the charge of obstructing the execution of the votes of parliament.§

It seems to have been the destiny of the presbyterians, that their great party-strokes, whether of policy or vigour, should recoil upon themselves. Their vigour, in this instance, called up a new and most formidable antagonist power. Hitherto the only deliberative body in the army was the convention, or council of officers appointed by the commander-in-chief. This council became, or affected to be, paralysed by the recent votes of the house of commons ; and the council of adjutators, that is, assistants to the council of officers—or agitators,—the latter a title given them by their adversaries, and adopted by themselves ||,—started up. It consisted of representatives, for the most part subaltern and non-commissioned officers, chosen by the non-commissioned

* Rush. vi. 464, 465.

† Ibid. 468.

‡ Ibid. 465. &c.

|| Ibid. 556.

§ Ibid.

officers and privates of each regiment. Cromwell is asserted, by the general voice of historians, to have been its great promoter, by secret arts and for his secret purposes. But of this there are no express or direct proofs. It is too much the custom to assign to Cromwell, thus early, remote projects of ambition and a forethought of his future greatness, unsupported by facts and inconsistent with human faculty. The imagination finds it hard to dissociate the protector, or usurper, of the commonwealth, from the lieutenant-general and republican. Supposing it to be the fact, his motive in organising that armed and enthusiastic democracy, must have been, not personal usurpation, but the establishment of a purely republican government.

The officers, however, did not submit passively to the votes and censure of the house of commons. Their petition and vindication, signed by fourteen colonels and lieutenant-colonels, among whom were Whalley, Lambert, Lilburne (Robert), Hewson, Hammond, Okey, Pride, Rich, with the full proportion of field officers and subalterns, was presented to the house on the 27th of April. It maintained their right to petition as soldiers, and cited the exercise of that right, with the applause of parliament, by the presbyterian armies of Essex and Waller. “We hope,” said they, “that by being soldiers we have not lost the capacity of subjects,—that in purchasing the freedom of our brethren, we have not lost our own.” They re-asserted the justice of their demand of the payment of arrears to themselves and the soldiers, not as “mercenaries whose end was gain,” but as men “who had abandoned their estates, trades, callings, and the contentments of a quiet life, for the perils and fatigues of war in defence of the public liberty,”* and demanded an indemnity for all acts done by them, as soldiers, against indictment or civil action, which, they said, was rendered imperative by recent legal proceedings.

This petition, presented on the 27th, was read on the 30th of April. Skippon, who had just declared

* Parl. Hist. iii. 562.

his acceptance of the chief command in Ireland, with the rank of field-marshall, and been returned for Barnstaple, read to the house a letter placed in his hands* by three troopers named Sexby, Allen, and Shepherd, then in attendance. This letter was the first manifesto of the new council of agitators. It protested, on behalf of several regiments, against the service of Ireland without due satisfaction given; denounced the measure of drafting and disbanding as a plan to break up the army, and its authors as "ambitious men, who having lately tasted of sovereignty, and been lifted above their proper sphere of servants, sought to become masters, and were degenerating into tyrants." The three troopers were questioned at the bar. They answered some questions, and declined answering others, but desired to have them in writing for reference to their constituents. Their conduct appears to have been at once frank and diplomatic.† Chosen for such a commission, they could not have been common men.‡

There are, unfortunately, no minutes of the memorable debate which followed: Rushworth, having been appointed secretary to Fairfax, ceased to act as clerk assistant in the house of commons. It is described in memoirs and histories written by contemporaries, of whom some were members present; but those accounts are intemperate, biased, and conflicting. They concur only in showing that there was on both sides much violence; but on the side of the presbyterians violence and vacillation. One member proposed that the three agitators should be committed to the Tower; another, "the worthy burgess of Newcastle, Mr. Warmouth §, would have them committed indeed, but to the best inn in town, with orders for their being well regaled."

* Copies of it were placed also in the hands of Fairfax and Cromwell.

† Holles (*Memoirs*) says, "they carried themselves in a slighting and braving manner," which, however, by his own account, consisted in their declining to answer certain questions without previous reference to those whom they represented.

‡ Sexby was afterwards the colonel of that name, and Allen attained the rank of adjutant-general.

§ Holles's *Memoirs*.

Cromwell was the most prominent in the debate, and his conduct on this occasion is described on all sides as “his master-piece of dissimulation.”*

It is difficult to extract a consistent version from the various accounts. He stood up, it would appear, so suspected and obnoxious to the presbyterian majority, that the question was entertained more than once whether he should not be committed to the Tower as the underhand manager of the agitators. He yet spoke in such a tone of wheedling hypocrisy, and with such pathetic gesticulations whilst he vindicated the army and himself,—appealed to his own past services,—deprecated extreme or severe measures towards a calumniated but obedient body of men, who were ready to lay down their arms at the door of parliament, and disband if the house so ordered,—in short, expressed himself with such profound and plausible dissimulation, that he completely gained the majority of the house, and carried a resolution in pursuance of which Cromwell himself, Skippon, Ireton, and Fleetwood were sent to the army with proffered terms of compromise.†

* Godwin, ii. 300.

† Ludlow (Mem. i. 190, where, however, writing from memory, he seems to mix up the two debates, first on the officers' petition, and now on the agitators' letter) mentions the design to arrest Cromwell. The intention to arrest him, and the triumph of his hypocrisy, are stated circumstantially by Clarendon (Hist. v.). Holles speaks of his being under such suspicion, that it was proposed to summon him to answer for his conduct, after his return from Saffron Walden; and he assigns the vote for sending him and the other superior officers, or, as he calls it, “the tameness” with which the house “flattered” and increased their (the army's) madness and presumption, to the excuses made for the agitators by Skippon (Memoirs of Holles, in Select Tracts): whilst Walker (Hist. of Ind. i. 31.) ascribes it to Cromwell's protestations, “with his hand upon his breast, in the presence of Almighty God, that he knew the army would disband and lay down their arms at their door whenever they should command them.” Here it may be observed, that there is a variance amounting to contradiction between Holles and Walker, both members of the house, and of the same party, as well as bitter enemies of Cromwell, especially the former. As to Clarendon, he was at this time retired to Jersey. Burnet (Hist. of his Own Times, i. 82, &c. Oxf. edit., p. 45. old folio edit.) gives an account too curious to be given in any other *in his own words*. “Upon this I will set down what sir Harbottle Grin. one *told me* a few weeks before his death: whether it was done at this time or the year before, I cannot tell; I rather believe the latter. When the house of commons and the army were a quarreling, at a meeting of the officers it was proposed to purge the army better, that they might know whom to depend on. Cromwell, upon that, said he was sure of the army; but there was another body that had

That Cromwell should succeed by any artifices of rhetoric or dissimulation in persuading the house of his own faith and obedience, and of the implicit submission with which the army would receive its commands,— a

more need of purging, naming the house of commons, and he thought the army only could do that. Two officers that were present brought an account of this to Grimstone, who carried them with him to the lobby of the house of commons, they being resolved to justify it to the house. There was another debate then on foot; but Grimstone diverted it, and said he had a matter of privilege of the highest sort to lay before them: it was about the being and freedom of the house. So he charged Cromwell with the design of putting a force on the house. He had his witnesses at the door, and desired they might be examined: *they were brought to the bar, and justified all that they had said to him, and gave a full relation of all that had passed at their meetings.* When they withdrew, Cromwell fell down on his knees and made a solemn prayer to God, attesting his innocence, and his zeal for the service of the house. He submitted himself to the providence of God, who, it seems, thought fit to exercise him with calumny and slander, but he committed his cause to Him. This he did with great vehemence, and with many tears. After this strange and bold preamble, he made so long a speech, justifying both himself and the rest of the officers, except a few that seemed inclined to 'return back to Egypt,' that he wearied out the house, and wrought so much on his party, that what the witnesses had said was so little believed that, had it been moved, Grimstone thought that both he and they would have been sent to the Tower. But whether their guilt made them modest, or that they had no mind to have the matter much talked of, they let it fall; and there was no strength in the other side to carry it further. To complete the scene, as soon as ever Cromwell got out of the house, he resolved to trust himself no more among them; but went to the army, and in a few days he brought them up, and forced a great many from the house."

Now that so important a proceeding should leave no trace on the journals, and escape Holles, Walker, Rushworth, Whitlock, Ludlow, &c., is utterly incredible; and Burnet is least trustworthy where he is most circumstantial, especially beginning with lord or Mr. Such-a-one "told me." Within the compass of two short pages, at the place above cited, the reader will find, "Holles told me," &c., "Grimstone told me," &c., "Titus told me," &c., "One who knew Cromwell told me," &c. The first earl of Dartmouth, after reading Burnet's "History of his own Times," gave a very happy and pregnant criticism on it, by styling it, "Dr. Burnet's story-book." The bishop seems to have been particularly fortunate in receiving men's confidences shortly before their deaths. Sir Robert Murray, for instance, told him all the particulars of the king's written controversy with Henderson, "a few days before his (sir Robert's) lamented death." And here he says, "Sir Harbottle Grimstone told me, a few weeks before his death," &c. The former story, related by him against the presbyterians when he was a rank Tory (see his Mem. of the Hamiltons), has received little credit. The latter, told by him when he became a Whig, in the spirit of Whig defamation of the founders of the commonwealth, merits quite as little. The spirit in which he wrote it may be collected from the following words, with which he concludes by way of moral to the fable:—"I had much discourse on this head with one who knew Cromwell well, and all that set of men; and asked him how they could excuse all the prevarications, and other ill things of which they were visibly guilty in the conduct of their affairs. He told me, they believed there were great occasions in which some men were called to great services, in the doing of which they were excused from the common rules of morality: such were the practices of Ehud and Joel, Samson and David; and by this they fancied they had a privilege from observing the standing rules." — *Burnet*, l. 84.

house of which the presbyterian majority knew so well his principles and character, and which had such flagrant proofs of organised resistance on the part of the army,—all this is so improbable as to be scarcely within the compass of belief. But that he spoke of his own fidelity and obedience in unmeaning or unconvincing generalities,—of the army in its own vague language*, viz. “as having no thought of disrespect to the authority of the house,” without being or expecting to be believed; that he at the same time showed clearly the folly of a collision which would but precipitate a crisis more violent perhaps than that which soon followed,—is credible and likely. It is a hackneyed misrepresentation and vulgar mistake that Cromwell was habitually a canting hypocrite. Cromwell, by one of the singularities of his genius, was equally characterised by frank and fearless explosions of thought and sentiment, and by masking them on great occasions with profound and consummate art. All that appears certain here is that there was an understanding between the council of officers and the agitators†; whilst Cromwell’s relations with the latter may be inferred and estimated from the fact that among the most active of their body were Aires, Berry, and Desborough, his favourite officers, the last married to his sister, and all brought up in his famous regiment.‡

Cromwell, Skippon, Ireton, and Fleetwood proceeded upon their mission to the head quarters at Saffron Waldon, and on the 7th of May communicated the votes of parliament and their instructions — that is, an indemnity for acts done by soldiers as such, and the payment of arrears, part before, the remainder after, the disembodiment. They talked, in the language of their instructions, of healing “distempers” in the army. It was replied by the officers, that there were no distempers, but many grievances. The officers required time

* See *Vindication, &c.* Rush. vi. 474. Parl. Hist. iii. 578. &c.

† *Ibid.*

‡ Baxter mentions “Aires, Desborough, Berry, and Evanson,” as having served with Cromwell in “that valiant troop (Cromwell’s iron-sides) which was never known to run away before an enemy.” — *Life of Baxter.*

to confer with their respective regiments — that is, with the agitators ; the commissioners assented ; and a second meeting took place on the 15th.

The presbyterians meanwhile had produced a schism in the army. The majority, headed by Lambert, demanded precedence for the redress of grievances ; the minority would begin with the operation of drafting volunteers to proceed to Ireland. The house of commons, encouraged by this division, urged on by the presbyterian leaders, men of more passion and presumption than courage or talent, and having heard a report of the mission from Cromwell and Fleetwood, proceeded to take immediate measures for disbanding the regiments. A decisive collision was now approaching. Fairfax, who had come up to London under the pretence of bad health, returned to the army by the desire of the house, and gave orders for its advance to Bury St. Edmunds.

This movement took place on the 25th of May. A petition, signed by the chief agitators, addressed to Fairfax, remonstrating against the proposed disbanding without previous redress, calling to account the contrivers of their destruction, and requesting the commander-in-chief to collect * the regiments for the purpose of a general rendezvous, was submitted to the council of officers on the 29th. The proposed rendezvous was approved, and recommended in writing under the name of "heads of advice" to Fairfax by the officers. One argument used by the officers was, that the soldiers would hold a rendezvous without them.

Fairfax communicated their proceeding to both houses. " I entreat you," he writes to the speaker of the house of commons, " that there may be ways of love and composure thought upon. I shall do my endeavours, though I am forced to yield to something out of order to keep the army from disorder or worse inconveniences." This advice was lost upon the presbyterians. They

* The house of commons had voted the separation of the regiments to a distance from each other, preparatory to their being disbanded.

sent Warwick, Delaware, and Gerard to commence the operation of disbanding with the regiment of Fairfax. He told them they could not proceed without further orders from the parliament, and the collision was now begun.

It is here necessary to return to the king. His person was guarded with jealous vigilance and sectarian bigotry by the presbyterians. After some time, however, their fear of the army and the independents induced them to enter into secret negotiations with him ; and a letter from the king to both houses in reply to the propositions submitted to him at Newcastle, offering an act of oblivion, the establishment of the presbytery for three years, and the vesting of the military power in the parliament for ten years, was read in the house of lords.* This was soon followed by a vote of the lords for the king's removal from Holmby to Oatlands. It was communicated to the commons, but not taken into consideration by them. Meanwhile a remarkable incident gave a new turn to the proceedings of parties and the parliament. The army seized and carried off the king.

Charles, it has been observed, in all his negotiations was eager to be allowed to enter or approach the capital. He had now stronger reasons than ever. The royal forces were dispersed, not destroyed ; London was crowded with cavaliers, or, as they were called, malignants† ; many of the best class of citizens, tired of civil war, “ revolted,” says May, “ from their former principles ‡ ;” and the presbyterians were anxious to secure the advantages which they derived, as a party, from their possession of the person of the king. It is alleged against them, that with this view they designed removing him secretly or suddenly § ; and the suspicion seems not ill-founded when connected with the vote of the lords. This purpose, if they entertained it, was

* Lords' Journ. May, 1647.

† “ All the king's garrisons,” says May (Short Mention, &c.), “ were emptied into it (London) by Fairfax's bloodless victories.”

‡ Ibid.

§ Impartial Narration, &c. Rush. vi. 505.

defeated as usual by the decision and energy of the independents.

In this, as in almost every other party manœuvre of the hour, Cromwell is represented to have been the chief mover.* He left, or according to some accounts fled from London and the parliament to the army, on the 3d of June.† On that day, Joyce, a cornet‡ and member of the council of agitation, with a party of 700 horse, arrived at Holmby, was admitted by the guard from previous concert or the mere sympathy of fellow soldiers, and demanded the person of the king. The commissioners, without means of resistance, could only protest and submit. Charles asked Joyce for his commission. “There it is,” said the cornet, pointing to the troopers drawn up in the castle yard. “It is,” rejoined the king, “very legibly written in fair characters — a company of as handsome and proper gentlemen as I have looked on a long while.”

Next morning Charles received from Joyce, in the presence of the troopers, an assurance of the safety of his person, left Holmby escorted by Joyce and attended by the commissioners§, slept that night at Hinchinbrook, and halted next day at Childerley, near Cambridge.|| Here he passed some time, receiving from individuals the usual court homage,—idle where it was sincere, and

* Holles, in his Memorials, and major Huntington, in his Sundry Reasons for laying down his Commission. (Select Tracts, republished by baron Maseres.)

† But even Holles, who says, “Cromwell did steal away that evening, I may say, ran away post to the army,” states immediately before that, upon being informed that “some members, fearing him gone, had moved to have him sent for, he came and showed himself a little in the house.” (Mem.) It seems evident that Cromwell, with the army at his back, had nothing to fear from the house of commons, which had just before released Nicholls, an avowed agitator, and was now endeavouring vainly to retrace its steps, and conciliate the soldiers. See notes in Com. Journ., June 3., and Lords' Journ., June 5.; and Rush. vi. 501. 518, 519.

‡ Royalist writers delighted in representing the officers of the army as persons of base condition. Joyce is called, and may have been, a tailor, but he spoke and wrote as a man of education, and there is no doubt of his talent. The cavaliers, too, were not all of “gentle condition.” Henry Rastall, servant to Dr. Hudson, was first a butcher, then a captain in the cavalier army, and, lastly, servant to the doctor. See Peck, &c. B. ix.

§ Montague, Cook, and Brown.

|| For particulars, see Impartial Narrative, &c.; and letters of Commis. in Rushworth and in Herbert's Memoirs.

false where it might be effective. Among those who waited on him with ceremonial respect were Fairfax, Cromwell, Ireton, Hammond, and other superior officers; by his express desire*, Joyce and the commissioners were also presented. The latter urged that Joyce deserved to lose his head, and Charles, with a mockery of the regal character, declared that he pardoned him his treason. † Joyce, disclaiming, as he had done before, any orders from the general, said that if his act was not borne out by the army he was ready to be hanged at its head. Fairfax and Cromwell declared their total ignorance of the designed seizure of the king's person; and the former is supposed to have spoken truth.‡ Upon receiving information of Joyce's enterprise, he had sent Whally, at the head of his regiment, to prevent its execution, or reconduct the king to Holmby. Charles, to whom the presbyterians were as odious for their bigotry as the independents for their republicanism, met Whally near Newmarket, preferred continuing in the hands of the army, and took up his quarters, by his own choice, at Childerley.

Meanwhile a rendezvous of the army took place near Newmarket on the 5th of June. The result was "a solemn engagement and declaration of the army under sir Thomas Fairfax §," not to disband or divide, or suffer itself to be disbanded or divided, without the redress of its grievances, and due security against oppression, injury, or abuse to the whole freeborn people of England. Among the particular objects to be thus secured, was the discontinuance of "the same men in credit and power." This was equivalent to a declaration against the presbyterian party, the leaders of which are charged in the "solemn engagement" with having

* Rush. vi. 549.

† Ibid. Yet sir P. Warwick says (Mem.) the king told Fairfax and Cromwell he would not believe their denial unless they hanged Joyce.

‡ See the letters of Fairfax and the commissioners, Journ. of Lords and Commons, end of May and beginning of June, 1647, and Parl. Hist. iii. 689, *et seq.*

§ Fairfax is thus styled, though he had been made a lord even before his father's death.

intimated “cruel and bloody purposes when the army should be disbanded or divided.”* It would be rash to pronounce this dread of future vengeance from the presbyterians visionary or pretended.†

London came to the relief of the presbyterians, by a friendly petition to both houses; and the house of commons sent a deputation once more to negotiate with the army. A rendezvous was ordered to take place at Triploe heath, on the 10th of June ‡: the parliamentary deputies met the council of war, and the result was the advance of the army upon London.

This ominous movement was made known by a letter addressed to the lord mayor, aldermen, and common council of London, by Fairfax, Cromwell, the two Hammonds, Waller (sir Hardress), Rich, Ireton, Pride, Lilburne (Robert), Desborough, Rainsborough, Lambert, and Harrison. The city ordered out the trainbands on pain of death; the citizens set guards, and shut their shops §; and the two houses commanded Fairfax, by a joint letter, “to quarter no part of his army within forty miles of London.”||

The general meanwhile received addresses of confidence from Norfolk, Suffolk, Essex, and other counties, and communicated them to the two houses from his head quarters at St. Albans, in disregard of their letter.¶ The house of commons made a show of armed resistance. It doubled the civic guard round both houses of parliament; filled their outer rooms and lobbies with halberts, half-pikes, and fire-arms; and, in concurrence with the lords, called upon Fairfax to surrender the king’s person to the commissioners. The general replied by placing in the hands of the latter a long

* See Engagement, &c. Lords’ Journ., June 11. 1647. Parl. Hist. iii. 604. &c.

† The rancorous language of Holles, in his Memorials, can leave no doubt of what his acts would be were he triumphant.

‡ Journ. Lords, June 5. Parl. Hist. iii. 592.

§ Whitelock, Mem. an. 1646. || Journ. June 15.

¶ Fairfax, in his letter to the earl of Manchester, speaker to the house of lords (Journ. June 12.), excuses his advance within twenty miles of London, by his having given marching orders the day before he received the commands of both houses.

"representation" from the army, and promising a supplement, which proved an impeachment of eleven members of the presbyterian party in the house of commons.

This able representation, drawn up by Ireton *, merits particular notice. It may be regarded as the case of the army and the independents, by which the conduct of that famous army, and the famous chiefs by whom it was led in war and policy, should be judged. The following are the chief points in the long preamble, and nine specific articles of which it is composed : — "We are not," says the preamble, "a mercenary army, hired to serve any arbitrary power of state ; but called forth and conjured by the several declarations of parliament, to the defence of our own and the people's just rights and liberties ; and so we took up arms in judgment and conscience to those ends, and are resolved — according to your first just desires and declarations, and such principles as we have received from your frequent informations and our own common sense concerning these our fundamental rights and liberties — to assert and vindicate them against all arbitrary power, violence, and oppression, and all particular interests and parties whatsoever." They then "propound for their own and the kingdom's rights, freedom, peace, and safety," that the house should be speedily purged of such members as were disentitled to sit there, by delinquency (siding with the king against the parliament), corruption, abuse to the state, or undue election ; of which they allege many examples throughout the kingdom, especially in Wales and Cornwall † ; that the persons who in the late "unjust and high proceeding" against the army had the will, credit, and power to abuse the army and the parliament, and whom they (the subscribers) were ready to name, should be disabled for the future ; "so that the same persons may not continue in the same power." In order to secure the

* Whitelock, Mem.

† Thus it appears that Cornwall had an early pre-eminence in borough corruption.

rights, liberties, and safety of the kingdom for the present age and for posterity, and to show that they had no factious or interested purpose of suppressing one party that they may advance another which might be imagined more their own, they further propound, that parliaments should be freely, equally, and successively chosen, according to the intent of the triennial bill; so that the people, "if they have made an ill choice at one time may mend it at another, and the members themselves may be in a capacity to taste of subjection as well as rule;" that the continuance and independence of parliaments should be secured against the crown by their not being dissolvable or adjournable at the king's pleasure without their own consent.

The next proposition would suffer injustice in any other words than those of the representation.

" And because the present distribution of elections for parliament members is so very unequal, and the multitude of burgesses for decayed or inconsiderable towns (whose interest in the kingdom would in many not exceed, or in others not equal, ordinary villages) doth give too much and too evident opportunity for men of power to frame parties in parliament to serve particular interests, and thereby the common interest of the whole is not so minded, or not so equally provided for; we therefore further desire,— That some provision may be now made for such distribution of elections for future parliaments as may stand with some rule of equality or proportion, as near as may be to render the parliament a more equal representative of the whole; as for instance, that all counties or divisions and parts of the kingdom (involving inconsiderable towns) may have a number of parliament-men allowed to their choice proportionably to the respective rates they bear in the common charges and burdens of the kingdom, and not to have more; or some other such-like rule. And thus a firm foundation being laid, in the authority and constitution of parliaments, for the hopes at least of common and equal right and freedom

to ourselves, and all the free-born people of this land, we shall, for our parts, freely and cheerfully commit our stock or share of interest in this kingdom into this common bottom of parliaments ; and though it may, for our particulars, go ill with us in one voyage, yet we shall thus hope, if right be with us, to fare better in another.”*

They disclaim any desire of an immediate dissolution, which would but hazard the rights, liberty, and safety of the kingdom ; expressly contemplate the continuance of monarchy, duly controlled, in the king and his posterity ; and finally recommend, that after some few examples of public justice out of the worst cases, “ all seeds of war or feud, to the present age and to posterity,” should be taken away by a general act of oblivion.†

This representation was communicated by the commissioners to the parliament on the 15th of June, and followed next day by the promised heads of accusation against the following eleven members, viz. — Holles, Stapylton, Lewis, Clotworthy, Waller (sir W.), Maynard (sir John, brother of lord Maynard)‡, Massey §, Harley (colonel), Long, Glyn, and Nicholls. They were charged generally with “ abusing the parliament and the army ;” specifically, with attempting to disband the army “ piecemeal,” for the purpose of more easily destroying it by means of another, the formation of which they had already begun out of the disbanded corps, the volunteers for Ireland, deserters from the army, and recruits privately enlisted.

To state the various and somewhat complicated grounds of the latter charges is inconsistent with the limits of these pages ; and without doing so it would be unwarrantable to pronounce that they were not unfounded. But it is due to historic truth, and to the

* Parl. Hist. iii. 622, 623.

† The reader who seeks to be fully and fairly informed, should read the document itself in the new Parl. Hist. iii. 615. &c.

‡ See Wood, Ath. Oxon., art. Maynard.

§ He was odious to the army, as one of those officers who sacrificed its interests to the presbyterian party by both public and private acts.

army, to repeat here what has been more fully stated at the close of the last chapter, — that the parties in that strife were not an army and a parliament, but the two political parties, presbyterian and independent, — that they are to be judged by their principles, their views, their past services, and present characters, — that the question at issue was, whether presbyterianism should establish itself by breaking up the army, or independency gain the ascendant by breaking up presbyterianism in the house of commons ; and that, if this party-stroke was executed by force or intimidation, the government and the community were in that state of heat and fusion which constitutes the process of revolution, and which not only justifies but demands extraordinary and irregular actions.*

The city of London soon made its peace with the army by implicit submission. In parliament the presbyterians were alternately tame and violent. The army, after sending up its representation, halted some days at St. Albans. Encouraged by this circumstance, or otherwise influenced, the house of commons repeated its order against the advance of Fairfax towards London ; voted the removal of the king from Newmarket and the custody of the army, to Richmond and the custody of the parliament commissioners ; and exculpated the impeached members by a formal resolution.†

Meanwhile, the army under Fairfax, having addressed a second “ humble remonstrance ‡” to the parliament, marched by Berkhamstead upon Uxbridge, and pushed its outposts to Brentford, Hanwell, Feltham, and Harrow.§ The “ eleven members,” as they are usually

* Dr. Lingard has compressed, or rather slurred over, this important passage of English history with remarkable unfairness.

† The army demanded that the accused members should be sequestered from their seats, alleging, according to Clarendon (v. 455, 456), the precedents of that very parliament in the cases of Strafford, Laud, and lord keeper Finch. There is not a word of this in the printed papers ; and there appears the strongest ground to infer that the supposed precedents were pure inventions of the historian.

‡ Rush. vi. 585.

§ This is stated to have taken place through the mistake of some officers, who were immediately ordered by Fairfax to fall in line with the headquarters at Uxbridge. Rush. vi. 593.

designated, now asked and obtained leave of absence, or, in other words, abandoned the field.

It would be tedious and unprofitable here to notice in detail the steps taken, and the communications, verbal and written, which took place between the parliament and the army. The presbyterians continued to exhibit the same alternation of timid and violent counsels. Upon the approach of Fairfax to the capital, the house of commons abandoned its preparations of defence, and voted the army under Fairfax the army of the parliament, and to be subsisted as such. The general upon this, but perhaps from motives purely military, having reference to the quartering and subsistence of the troops, changed his head quarters from Uxbridge to Wickham. The eleven * members, upon this seeming retreat, challenged their accusers, and re-appeared in their places. A day was fixed for the trial, the articles were exhibited by officers appointed on behalf of the army, and the accused delivered a written answer in the form of a demurrer.† The trial was thus necessarily postponed, and the accused having obtained leave of absence from the house, with the speaker's passport to go out of the kingdom, abandoned the contest without a struggle.

The king, since the seizure of his person by the army, was more immediately concerned in the strifes of parties. The independents laboured to conciliate him, and by means at once the most efficient and honourable. When he demanded from Joyce an assurance that no force should be put upon his conscience, that officer disclaimed on the part of the army the principle of forcing any man's conscience, much less the king's.‡

The faculty of judging objects at their relative and proper value, by a *coup d'œil* — if the expression

* Glyn, recorder of London, a trimming presbyterian lawyer, the colleague of Maynard in the presbyterian prosecution of archbishop Laud, kept back at first, but afterwards joined the other members.

† Their answer is described as such by Rushworth (vi. 627.). Yet it is scarcely credible, as a demurrer must have admitted the facts, and disputed only the law. Possibly their sole object was delay, for the purpose of making their retreat, which they soon did.

‡ Rush. vi. 615.

be admissible — distinguishes superior, the want of it inferior, minds. Charles, whilst in the hands of the presbyterians, was subjected by them to irritating supervision and privation. They denied him the presence of his friends, his servants, his chaplains, and exercised jealous vigilance over all who desired or were permitted to approach him.* The independents, or, according to the narratives of the time, Cromwell and Ireton, with enlarged and fearless views, permitted the free attendance of two of his chaplains, Hammond and Sheldon, chosen by himself †, and of his favourite servants, Legge, Berkley, and Ashburnham ; the last but recently arrived from France with, by his own admission, “instructions from the queen and prince of Wales, in some things which it was not proper his majesty should appear in.”‡

The king’s removal from Newcastle to Richmond, it has been observed, was voted by both houses. The army affected to impose no restraint upon him ; and it would appear that he proceeded on his way as far as Royston, when the parliament cancelled its order, countermanded his progress, and voted that he should follow, within a certain distance, the movements of Fairfax’s head-quarters, — all this in compliance with one of the desires expressed in the army’s second remonstrance.§ He accordingly moved within the prescribed distance of the army from Royston to Windsor.||

Cromwell, according to the general current of the history of this period, dexterously turned to his purposes his indulgences to the king, by opening a secret negotiation with him. It appears from Ashburnham’s recently published narrative, that on his arrival from

* Even the approach of persons to be touched for the king’s evil, so called, was severely forbidden, as a damnable superstition.

† In his second request to the parliament from Holmby. Lords’ Journ. April, 1647.

‡ Ashb. Nar. ii. 88.

§ Rush. vi. 585. The conduct of the presbyterians in the house of commons, rash at one moment, submissive the next, and always imbecile, would scarcely be credible without the evidence of Rushworth’s collections, and the journals of both houses. It is impossible to resist forming a low estimate of their capacity.

|| Ludlow, i. 198.

France, he found his master already in treaty with Cromwell, Ireton, and other superior officers. Charles appointed Berkley and Ashburnham to conduct the treaty on his part, and the negotiation continued for about three weeks with hopes of success.* The conditions upon which Cromwell and Ireton proposed to restore the king to his authority were in substance those afterwards called “proposals of the army.”

Fairfax at the same time obtained with difficulty† the consent of the parliament that the king should be allowed to see his children : the dukes of York ‡ and Gloucester, aged respectively fourteen and seven, and the princess Elizabeth, twelve years, met their father at Maidstone, and passed two days with him at Caversham. The interview was so affecting, that Cromwell, who was present, is said to have shed tears in describing it, and to have declared his conversion to the most implicit faith in the goodness of the king.§ Cromwell had an extraordinary command of tears. It may be passed over as an idle though agitated question, whether his fluxional temperament was in this instance brought into play by emotion or hypocrisy.

Pending this secret treaty between the king and the officers, an open or ostensible negotiation was on foot between the army and the parliament, conducted by commissioners on either side.|| An explosion of presbyterian and popular violence interrupted both. It was provoked by a demand of the army, through the council of officers, that the militia of London should be readjusted in favour of the independents, by reinstating in the militia committee four aldermen and three

Ashb. Narr. ii. 91.

* The parliament apprehended that the army would detain the children with the father ; but Fairfax and his superior officers pledged their word, that the children should return with the duke and duchess of Northumberland, their governor and governess, to St. James's. Lords' Journ, July, 1647.

† The ill-fated James II.

‡ Memoir of Sir John Berkley.

|| The commissioners were, for the parliament, lords Nottingham and Wharton, Skippon, Vane, Widdrington, White, Scawen, Povey ; for the army, Cromwell, Ireton, Fleetwood, Ramsborough, Harrison, Waller (sir H.), Rich, Lambert, Hammond (Rob.), Desborough. (Rush. vi. 605.)

colonels of that party, who had been set aside by the late ordinance.* The demand of the army was followed by a petition to the same effect from the city independents. An antagonist city petition from an overwhelming majority of presbyterians, in favour of the ordinance, and demanding the suppression of the conventicles,—that is, of independency and religious freedom,—was presented next day. At the same time a paper, professing to be a solemn engagement by oath and vow †, was exhibited for signature in the Guildhall. It professed to address itself to the lord mayor; began with reciting the covenant; engaged the subscribers—citizens, apprentices, train-bands, soldiers, and sailors—to keep away the army, and bring the king in all honour and safety to Westminster, for the purpose of a personal treaty founded on his late answer to the Newcastle propositions. This paper soon received near a hundred thousand signatures.‡ Many of the subscribers were doubtless cavaliers, or, as they were termed, malignants, disguised or undisguised; and the king is believed to have secretly encouraged it, notwithstanding his subsequent disavowal.

There was under this imposing show of zeal and numbers so much inherent weakness, that it damped instead of raising the courage of the presbyterian leaders in the house of commons.§ Perhaps men of more resolution and capacity would have turned it to account. In point of fact, the ordinance for reinstating the independents in the city militia passed through all its stages in one day ||, and all persons further promoting the objects of the city engagement were declared liable to the penalties of treason. The forfeiture of estate and life by all such criminals, was accordingly proclaimed through the city by sound of trumpet.

The valour of the citizens was proof against this menace.

* Rush, vi. 472.

† Ibid. 643.

‡ Waller's Vindication, &c.

§ It was at this crisis the eleven members abandoned the field, upon leave of absence.

|| Journ. of both houses, July, 1647.

Two petitions for rescinding the recent ordinance, and restoring the presbyterian militia committee,—one from the common council, the other from the same miscellaneous or motley population which subscribed the engagement,—was presented to both houses. A dilatory answer was returned; the petitioners came provided for the exigency *; a disorderly rabble which escorted them obtained from both houses of parliament, by threats and force, a vote for recalling the declaration, rescinding the ordinance, and bringing the king to Westminster.

The houses were now suffered to adjourn; upon which both speakers and several members fled to the protection of the army.

An adjournment of three days took place. During this interval the presbyterians seem to have taken heart; they proceeded with less ebullition and more system. The two houses, or the residue of them, re-assembled on the 30th of July, elected lord Willooughby (of Parham) and Mr. Henry Pelham temporary speakers; forbade Fairfax to advance; appointed a committee of safety, or of government; organised an army of defence, consisting chiefly of the city militia, under the command of Massey, sir William Waller, and Poyntz; and recalled the eleven members †, “most of whom,” says Rushworth ‡, “this day (July 31st) sat in the house.” Holles and his friends, who openly took flight when they might have placed themselves at the head of the popular movement, and now reappeared upon the scene merely to show themselves, were unequal to the mission of party leaders in a great crisis.

The army, apprised of the secession and approach of the two speakers with fifteen lords and a hundred commoners, moved from its head-quarters at Bedford, and after two days’ march met them at Hounslow.

Fairfax, next day (August 2d), put forth a declar-

* Rush. vi. 643.
† Rush. vi. 646—656.

‡ Whitelock, Mem.

ation from himself, and “his council of war, on behalf of the whole army, showing the grounds of their present advance to the city of London ;” ordered colonel Rainsborough with a detachment to pass over Kingston bridge, and occupy the borough of Southwark *, with the military posts on the right bank of the Thames to Gravesend; received the humble submission of the warlike corporation, mayor, aldermen, and common council, by letter, and a deputation ; entered and occupied London in triumph at the head of his army ; reinstated the seceding lords and commons with their speakers ; received in person the thanks of both houses ; and was appointed by them constable of the Tower of London.

The republican general, loaded with honours, and crowned, it may be said, with glory, preserved unchanged the modesty of his demeanour, and simplicity of his character.† The conduct of the army, too, was distinguished alike for military discipline and the civic virtues.‡

Thus terminated an episode, little honourable to the character, martial or political, of the city and the presbyterians. They had, by the account of Waller, their general of the horse, 18 regiments, some of which were from 1500 to 2000 strong, actually under arms §, with the Tower and other military posts of London ; whilst Fairfax’s army, when reviewed at Hounslow Heath, did not exceed 20,000 men.|| This easy and bloodless conquest should therefore be ascribed rather to superior genius than superior force.

The two houses ¶ and the city now retraced the steps and annulled the proceedings taken since the explosion of the 26th of July. Six of the eleven members, Holles, Stapylton, Waller, Clotworthy, Lewis

* Southwark disavowed the proceedings of the city. Rush. vi. 750.

† Rush. vii. 756. et seq. Whitelock, Mem. ‡ Ibid.

§ Vindication, &c.

|| Rush. vii. 750.
¶ The house of commons manifested some unwillingness ; but a remonstrance of the army brought it to complying terms. Journ. Lords and Commons, Aug. 1647.

and Long, escaped by sufferance, from Deal to Calais. The lord mayor (Gayer), four aldermen and two officers of train bands, three earls (Suffolk, Lincoln, and Middleton), four lords (Willoughby, elected temporary speaker of the house of commons, Hunsdon, who appears to have acted as such*, Berkley and Maynard), the six members who fled, were impeached of treason for their participation in the late events.† Massey, Harley, and Nichols were not included in the impeachment; and the proceedings were such as to show how little disposed to severe punishment — how superior to the impulses of personal or party vengeance — were the army and the independents.

It is impossible to contemplate the king's conduct through this emergency without diminished interest. His love of intrigue and despotism appears so incorrigible, that it would extinguish all regard for him, if pity were not kept alive by the knowledge that he but provoked his own ruin.

Whilst the presbyterians held momentary rule in the capital, the council of officers prepared, under the name of "proposals," a general scheme of reform for the settlement of the kingdom. This admirable paper, like the "Representation," is ascribed to Ireton. He probably had the chief share, and held the pen, but aided by the advice and talents of the other chiefs of the independent party.

No sketch or abstract could give a fair idea of a document so methodical and compact in matter and language. It proposes, under sixteen general heads, together with what may be termed a residuary supplement, a scheme of constituent reform, so much in advance of that age, and so accordant with the struggling spirit of philosophy and reform, after the lapse of nearly two centuries over the same nation, as to strike with wonder. Beginning with a reformed plan of representation, the perusal of which will show that mo-

* Rushworth.

† Rush. vii. 822. et seq. Whitelock, Mem. 268. et seq.

dern reformers had little to invent, it proposes that parliament should be biennial, and indissoluble within that period without its own consent ; that the criminal jurisdiction of the lords should be defined and limited ; that the formation and attributes of grand juries, the magistracy, and the sheriffs be better regulated ; that the king's power over the militia be subject to the advice of parliament and a council, for ten years (half the time of deprivation prescribed to him by the presbyterians) ; that the disqualification for civil privilege, and compositions for estates incurred by delinquents (adherents to the king), should be settled by a mitigated scale * ; that for the liberty, security, happiness, and peace of the kingdom, there should be passed acts, respectively, of confirmation, indemnity, and oblivion. But religious freedom was its noblest feature. It proposed to allow, without enjoining, the covenant and the common prayer book,—that is presbyterianism and prelacy,—and suggested that other means than tests and penalties should be provided “for discovering papists and popish recusants, and for the disabling of them and of all Jesuits or priests from *disturbing the state.*”†

* Remarkable for its moderation and magnanimity. See the Heads of Proposals, &c., in Parl. Hist. iii. 738.

† The contents of this paper are of such striking application and authority at the present period, that it is proper to give a few extracts.

“ That parliaments may *biennially* be called, and meet at a certain day, with such provision for the certainty thereof as in the late act was made for triennial parliaments, and what further or other provision shall be found needful by the parliament to reduce it to more certainty ; and, upon the passing of this, the said act for triennial parliaments to be repealed. 2. Each biennial parliament to sit 120 days certain, unless adjourned, or dissolved sooner *by their own consent* ; afterwards to be adjournable or dissolvable by the king. * * * * *

* * * * That this parliament, and each succeeding biennial parliament, at or before adjournment or dissolution thereof, may appoint committees to continue, during the interval, for such purposes as are, in any of these proposals, referred to such committees. 5. That the elections of the commons for succeeding parliaments may be distributed to all counties, or other parts or divisions of the kingdom, according to some rule of equality or proportion ; so as all counties may have a number of parliament members allowed to their choice, proportionable to the respective rates they bear in the common charges and burthens of the kingdom ; or, according to some other rule of equality or proportion, to render the house of commons, as near as may be, an equal representative of the whole ; and in order thereunto, that a present consideration be had to take off the elections of burgesses for poor, decayed, or inconsiderable towns, and to give some present addition to the number of parliament members for great

The authors of this scheme of government were republicans; and it would have made the monarchy what

counties that have now less than their due proportion; to bring all at present, as near as may be, to such a rule of proportion as aforesaid. That effectual provision be made for future freedom of elections, and certainty of due returns. * * * *

* * * * *The same act to provide, that grand jurymen may be chosen by and for several parts or divisions of each county respectively, in some equal way; and not remain, as now, at the discretion of an undersheriff, to be put on and off; and that such grand-jurymen for their respective counties may, at each assize, present the names of persons to be made justices of the peace from time to time, as the country hath need for any to be added to the commission; and, at the summer assize, to present the names of three persons, out of whom the king may prick one to be sheriff for the next year.*

* * * * An act to be passed to take away all coercive power, authority, and jurisdiction of bishops, and all other ecclesiastical officers whatsoever, extending to any civil penalties upon any; and to repeal all laws whereby the civil magistracy hath been, or is bound, upon any ecclesiastical censure, to proceed, ex officio, unto any civil penalties against any persons so censured." — *Parl. Hist.* iii. 738—743.

The following is an extract from the supplement: —

" Next to the proposals aforesaid for the present settling of peace, we shall desire that no time may be lost by the parliament for dispatch of other things tending to the welfare, ease, and just satisfaction of the kingdom; and in special manner, 1. That the just and necessary liberty of the people to represent their grievances and desires, by way of petition, may be cleared and vindicated, according to the sixth head in the late representation or declaration of the army sent from St. Albans. 2. That in pursuance of the same head in the said declaration, the common grievances of the people may be speedily considered of, and effectually redressed; and, in particular, that the excise may be taken off from such commodities whereon the poor people of the land do ordinarily live, and a certain time to be limited for taking off the whole. That the oppressions and encroachments of the forest laws may be prevented for the future. All monopolies, old or new, and restraints to the freedom of trade, to be taken off. That a course may be taken, and commissioners appointed, to remedy and rectify the inequality of rates being upon several counties, and several parts of each county, in respect of others, and to settle the proportions for land rates to more equality throughout the kingdom; in order to which we shall offer some further particulars, which we hope may be useful. The present unequal, troublesome, and contentious way of ministers' maintenance by tythes to be considered of, and some remedy applied. That the rules and course of law, and the officers of it, may be so reduced and reformed, as that all suits and questions of right may be more clear and certain in the issues, and not so tedious nor chargeable in the proceeding as now; in order to which we shall offer some further particulars hereafter. That prisoners for debt, or other debtors who have estates to discharge them, may not, by embracing imprisonment, or any other ways, have advantage to defraud their creditors; but that the estates of all men may be some way made liable to their debts (as well as tradesmen are by commissions of bankrupt), whether they be imprisoned for it or not. And that such prisoners for debt, who have not wherewith to pay, or at least do yield up what they have to their creditors, may be freed from imprisonment, or some way provided for, so as neither they nor their families may perish by their imprisonments. Some provisions to be made, that none may be compelled, by penalties or otherwise, to answer unto questions tending to the accusing of themselves or their nearest relations, in criminal causes, and no man's life to be taken away under two witnesses. That consideration may be had of all statutes, and the laws and customs of corporations, imposing any oaths; either to repeal, or else to qualify and provide against

it was long after, with more point than truth, called by Montesquieu a republic in disguise.

A writer, distinguished for the most precious quality of an historian — the love of truth combined with the sentiment of liberty * — treats it as a masterpiece of plausible imposture, the acceptance and establishment of which by the king and parliament its authors never contemplated. Royalist and clerical historians have called it hypocritical as a matter of course. In great political transactions it is not always possible to sound the motives of the living, — the difficulty is still greater with the dead. It may, however, in this instance, be at least made a question, whether the republicanism of Ireton and his associates be not perfectly consistent with the supposition of their good faith. The first object of every honest and enlightened republican is free government, and he prefers a republic merely as a form not exclusive, but the most favourable. But even this preference may be only in the abstract. Circumstances might present themselves in which he would sacrifice the form for the greater security of the substance. Ireton and his associates, seeing those circumstances in the laws, usages, education, history of their countrymen,— all, in short, that decides the ethical character of a people,— and calculating the mass of antipathy in opinion and numbers to a pure republic,— may have been prepared to make the certain and immediate purchase of public liberty at the sacrifice of a form and name, however cherished.

The proposals of the army, whether in a spirit of deception or good faith, were privately submitted to Charles. That perverse and infatuated prince rejected them almost with scorn †; and the chief officers of the army,

the same, so far as they may extend or be construed to the molestation or ensnaring of religious and peaceable people, merely for nonconformity in religion." — *Parl. Hist.* iii. 744, 745.

* Godwin, *Hist. of the Com. of Eng.*

† The following is sir John Berkley's account of the scene:— "What with the encouraging messages, which his majesty had (by my lord *Lauderdale* and others) from the presbyterian party and the city of

disgusted with his refusal, and possessed of new proofs of his inveterate perfidy*, abandoned him to his fate. Charles, as usual, never wise until the occasion was past, declared his willingness to accept the proposals ; but Cromwell, Ireton, Rainsborough, and other members of the council, to whom he made the overture through sir John Berkley, declared, in reply, that henceforth they would treat only with the king and parliament. Berkley asked them, in case of refusal by the parliament, what they would do? "They all replied," says he, "that it was not for them to say, directly, what they would do against the parliament ; but intimated that they did not doubt of being able to prevail. When I appeared not fully satisfied with this reply, Rainsborough spoke out in these words : — 'If

London, who pretended to despise the army, and to oppose them to death, his majesty seemed very much erected ; insomuch, that, when the proposals were solemnly sent to him, and his concurrence most humbly and earnestly desired, his majesty not only to the astonishment of Ireton and the rest, but even to mine, entertained them with very tart and bitter discourses ; saying, sometimes, that he would have no man to suffer for his sake, and that he repented of nothing so much as the bill against the lord Strafford (which, though most true, was unpleasant for them to hear) ; that he would have the church established according to law, by the proposals. They replied, it was none of their work to do it ; that it was enough for them to wave the point, and they hoped, enough for his majesty, since he had waved the government itself in Scotland. His majesty said, that he hoped God had forgiven him that sin, and repeated often, you cannot be without me ; you will fall to ruin if I do not sustain you. Many of the army that were present, and wished well (at least, as they pretended) to the agreement, looked wishfully, and with wonder, upon me and Mr. Ashburnham ; and I, as much as I durst, upon his majesty, who would take no notice of it, until I was forced to step to him, and whisper in his ear,—Sir, your majesty speaks as if you had some secret strength and power that I do not know of ; and, since your majesty hath concealed it from me, I wish you had concealed it from these men too. His majesty soon recollected himself, and began to sweeten his former discourse with great power of language and behaviour. But it was now of the latest.' — *Sir John Berkley's Memoirs. Selcct Tracts, i. 368, 369.*

* "Being commanded," says Ashburnham, "by his majesty to desire from Cromwell and Ireton that hee might remoove from Stoake to one of his owne houses, they told mee (with verie severe countenances) hee should go if hee pleased to Oatlands ; but that they had mett with sufficient proof that the king had not only abetted and fomented the differences betweene them and their enemies, by commanding all his partie to take conditions under the (then) parliament and city, but that likewise hee had (at that instant) a treatie with the Scots, when hee made greatest profession to close with them ; for the justification of which, they affirmed that they had both his and the queene's letters to make it good, which were *greate allayes to their thoughts of serveing him, and did verie much justifie the generall misfortune hee lived under of haveing the reputation of little faith in his dealings.*" — *Ashburnham, ii. 93, 94.*

they will not agree, we will make them;' to which the whole company assented."*

It is supposed, and can only be matter of probable supposition, that the chief officers of the army, who had hitherto controlled the republican ardour of the agitators, now embarked with them in the project of establishing a pure republic. Those agitators, and the mass of the army from which they sprung, are not to be confounded with a small party of visionaries who dreamt of a sort of republican theocracy. The mass of the army consisted of intelligent, informed, and reflecting men, who could meditate upon society and government, past and present; and upon whom, it is recorded, a strong impression was made by the unexampled prosperity of the Dutch republic, which had thrown off the yoke of Spain.†

The proposals of the army were next submitted to the parliament. That body — still containing a numerical majority of presbyterians — encouraged by the Scotch commissioners, who pronounced toleration blasphemy, and were zealous as ever for the covenant, — unresisted, most likely, by the independents, who neither expected nor perhaps greatly desired the acceptance of the proposals — substituted for them the nineteen propositions, slightly varied, and submitted them once more to the king. Charles, who had rejected the proposals of the army with disdain, now replied to the parliament by recommending them as a more desirable basis of agreement than the propositions.

This strange proceeding of the king was the result of a most complex tissue of intrigue. He was negotiating secretly at the same time with Lauderdale and the Scots commissioners, with the English presbyterians, with Ormond and Capel — devoted royalists, recently arrived, the one from Ireland, the other from Jersey — and with Cromwell and Ireton, who no longer

* Select Tracts i. 369.

† See Cromwell's remark to Rich, in Ashburnham's Narrative, ii. 99.

acted in concert with the other superior officers.* It was only with Capel and Ormond that he treated in good faith. He never designed for a moment to submit himself to the covenant; and even receiving as fact the accredited rumour, that he offered the earldom of Essex, the garter, and the government of Ireland to Cromwell, with corresponding honours to his son-in-law Ireton, his character and life alone, without reference to the apocryphal and well known letter†, can leave no

* See Clar. v. 494. et seq., Berk. Mem. Ash. Narr., and the Lords' Journ. sess. 1647.

† The following are the chief lights respecting this real or supposed letter. The memoir prefixed to the state letters of lord Broghil (Orrery) says:—

"One time, particularly (in the year 1649.) when lord Broghil was riding, with Cromwell on one side of him, and Ireton on the other, at the head of their army, they fell into discourse about the late king's death. Cromwell declared, that if the king had followed his own mind, and had had trusty servants about him, he had fooled them all. And further said, that once they had a mind to have closed with him; but upon something that happened, they fell off from their design again. My lord, finding Cromwel and Ireton in good humour, and no other person being within hearing, asked them if he might be so bold as to desire an account, 1st. Why they once would have closed with the king? and 2dly. Why they did not? Cromwel very freely told him, he would satisfy him in both his queries. The reason, says he, why we would once have closed with the king, was this: we found that the Scots and the presbyterians began to be more powerful than we; and if they had made up matters with the king, we should have been left in the lurch; therefore, we thought it best to prevent them, by offering first to come in upon any reasonable conditions. But while we were busied with these thoughts, there came a letter from one of our spies, who was of the king's bed-chamber, which acquainted us that on that day our doom was decreed; that he could not possibly tell what it was, but we might find it out, if we could intercept a letter from the king to the queen, wherein he declared what he would do. The letter, he said, was sewed up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten o'clock that night to the Blue Boar Inn in Holborn, for there he was to take horse and go to Dover with it. This messenger knew nothing of the letter in the saddle, but some persons in Dover did. We were at Windsor when we received the letter; and immediately upon the receipt of it, Ireton and I resolved to take one trusty fellow with us, and with troopers' habits to go to the inn in Holborn; which accordingly we did, and set our man at the gate of the inn, where the wicket only was open, to let people in and out. Our man was to give us notice when a person came there with a saddle, while we, in the disguise of common troopers, called for cans of beer, and continued drinking till about ten o'clock: the sentinel at the gate then gave notice that the man with the saddle was come in. Upon this we immediately rose, and, as the man was leading out his horse saddled, came up to him with drawn swords, and told him, we were there to search all that went in and out there; but, as he looked like an honest man, we would only search his saddle, and so dismiss him. Upon that we ungirt the saddle, and carried it into the stall where we had been drinking, and left the horseman with our sentinel; then, ripping up one of the skirts of the saddle, we there found the letter of which we had been informed; and having got it into our hands, we delivered the saddle again to the man, telling him he was an honest man, and bidding him go about his business. The man not knowing what had been done, went away to Dover. As soon as we had

doubt of his doing so with the secret reservation of deceitful and vindictive purpose.

the letter we opened it; in which we found the king had acquainted the queen that he was now courted by both factions, the Scotch presbyterians and the army, and which bid fairest for him should have him; but he thought he should close with the Scots sooner than the other, &c. Upon this, added Cromwell, we took horse, and went to Windsor; and, finding we were not likely to have any tolerable terms from the king, we immediately, from that time forward, resolved his ruin." — *Morrice, Life of Orrery, prefixed to the Orrery State Letters.*

The late cursitor baron Maseres, in a note to Berkley's Memoirs (Select Tracts, i. 386, 387.), has the following remarks and citations: —

"But it has been supposed by some writers, that Cromwell had also another reason for abandoning the king's interest, and concurring with the party of the army that was adverse to him, which arose from a discovery which he had made (by means of a letter from the king to his queen Henrietta Maria, who was then in France, which he had intercepted), that the king was resolved, when he should be restored to his authority, to break all the promises of favour which he had made to Cromwell and other officers of the army in the course of the negociation then on foot, and to punish them as rebels." Concerning this letter, Mr. Seward, in the first volume of *Anecdotes of Distinguished Persons*, in four volumes, octavo, (the fifth edition, published in the year 1804, for Cadell and Davies in the Strand), in page 287, 288, and 289, has the following passage: —

"This unfortunate monarch most probably met with his very severe fate in consequence of his duplicity. Cromwell declared that he could not trust him. His fate is a striking instance of the truth of the maxim of Menander, which is thus translated by Grotius: —

*"In re omni conductibile est quovis tempore
Verum proloquier. Idque in vita spondeo
Securitatis esse partem maximam."*

" At every time, and upon all occasions,
'T is right to speak the truth. And this I vouch,
In every various state of human life
The greatest part of our security."

Of the letter which is said to have been the cause of the death of Charles, the author of the "Richardsoniana," has preserved the following very curious account: —

"Lord Bolingbroke told us¹ (June 12. 1742.) that lord Oxford² had often told him that he had seen, and had in his hands, an original letter that king Charles I. wrote to the queen, in answer to one of her's that had been intercepted, and then forwarded to him; wherein she had reproached him for having made those villains too great concessions (viz. that Cromwell should be lord-lieutenant of Ireland for life without account; that that kingdom should be in the hands of the party, with an army there kept which should know no head but the lieutenant; that Cromwell should have a garter, &c.). That in this letter of the king's it was said that she should leave him to manage, who was better informed of all circumstances than she could be; but she might be entirely easy as to whatever concessions he should make them; for that he should know in due time how to deal with the rogues, who, instead of a silken garter, should be fitted with a hempen cord. So the letter ended: which answer, as they waited for, so they intercepted accordingly — and it determined his fate. This letter lord Oxford said he had offered 500*l.* for."

The above evidence for the letter is far from conclusive. To admit the letter and its alleged consequence, would imply that Cromwell and Ireton confided in the king. But they were as fully convinced of his perfidy

¹ Mr. Pope, lord Marchmont, and myself.

² Harley, the second earl of Oxford, the son of the lord-treasurer.

The duplicity of Cromwell and Ireton has been asserted still more confidently and widely, not only by royalist writers, but by admirers of the commonwealth. They are supposed to have pursued a system of political tactics and manœuvring which proves their proficiency in dissimulation, and in the highest range of statesmanship, as an art. There are instances in which the more studious or curious observers of history dive into the recesses of human thought for motives which lie on the surface; and there are cases in which truth may be obtained, not by incredulous refining, but by taking men even of doubtful faith simply at their word. Cromwell and Ireton prepared the "proposals," and submitted them to the king, with every assurance and appearance of desiring their acceptance. Upon his rejecting them, they, with every appearance of frankness, not only expressed their indignant displeasure at the king's incorrigible bad faith, but declared further, to Berkley and Ashburnham his agents, that the army felt indignant at the behaviour of the king, and jealously suspicious of themselves.* Ash-

without as with this letter, and it is plain that when they negotiated with him sincerely for a settlement of the kingdom, they trusted not to his faith but to the securities by which they proposed to bind him hand and foot. Next, if Ashburnham's narrative be good evidence, the letter is disposed of at once. He declares, without reference to any particular object, "He (the king) was pleased to command us (Berkley and himself) to use our best endeavours to fasten their (Cromwell's and Ireton's) best affections to his majesty's perfect restoration by proffers of advantage to themselves, and by fulfilling their utmost expectations in one thing relating to their own private interest or that of anie of their friends whom they would involve in the worke of his restauration — which was indeed also one of the particulars given me in charge by her majestie and the prince." (Ash. Narr. ii. 90, 91.) Cromwell's reference to the correspondence of the king and queen, as proofs of the king's perfidy (See note (+) p. 70. extract from Ashburnham) applies very remotely or loosely, if at all, to the description of this letter.

* See Berk. Mem. Ash. Narr. &c. Mem. of Mrs. Hutchinson, who says that Cromwell and Ireton treated in good faith with the king, until they discovered his perfidy. "To speak the truth," says he, "of all, Cromwell was at this period so uncorruptly faithful to his trust and to the people's interest, that he could not be drawn into the practice of his own usual and natural dissimulations in this occasion. His son-in-law Ireton, that was as faithful as he, was not so fully of the opinion (till he found the contrary) but that the king might be managed to comply with the public good of his people after he could no longer uphold his own violent will; but upon some discourses, the king uttering these words to him, 'I shall play my game as well as I can,' Ireton replied, 'If your majesty have a game to play, you must give us also the liberty to play ours.'

burnham, whose intercourse was more familiar and private than Berkley's with the king and Cromwell, further states that Cromwell, after the rejection of the proposals, professed himself still favourable to the king's restoration, but became more reserved and private; and that "he and Ireton withdrew themselves by degrees from the freedom of their wonted discourses of his majesty's recovery."*

Upon the whole, it may be given as a general view, borne out by various circumstances, that Cromwell and Ireton, after the rejection of the proposals, despaired of the king, and threw him out of the sphere of their considerations; that feeling themselves incompetent to resist or divert the march of republicanism and the agitators, they adopted and embarked in the same movement. It appears even that Cromwell at this period discoursed earnestly and elaborately with colonel Rich of the happiness which would be the lot of the people of England with such a government as the Netherland states-general.†

Cromwell and Ireton, even if they were not governed by their sympathies as soldiers and republicans, could not if they would resist the stream. Independency had embodied itself in large masses of the army, actuated by fearless and enthusiastic chiefs, under the various names of agitators, levellers, and rationalists. Some were visionaries of distempered imagination; but there was in this ferment, on the whole, a predominance of reason to give it feasibleness and force. They asserted two leading principles,—that religious conscience and the worship of God, with the reservation due to morals and order, should be subject to no control, secular or spiritual; and that the supreme right, or, to use the modern term, sovereignty, is in the people. A military organisation thus animated could not be

* Ash. Narr. &c. ii. 98.

† Ashburnham Narr. &c. ii. 99. The idea may possibly suggest itself that Cromwell aspired to be in England what the princes of Orange were in Holland. But the supreme power was at this period vested essentially in the states-general, not yet usurped by the house of Orange.

swayed from its direction, even by the arts and genius of Cromwell. This was not all. Colonel John Lilburne, one of the most remarkable characters of that epoch, combining vigorous talents with violent passions, and an atrabilious, unsatisfiable temper with the most reckless courage*, from an enthusiastic admirer, became the mortal enemy of Cromwell, and inflamed against him the jealous suspicions of the party of the agitators. Wildman, another agitator, co-operated with him.† Cromwell then was so situated that he must join frankly and decisively with the republicans, or forfeit his influence.

The agitators, still distrusting the motives, or not appreciating the views, of Cromwell and Ireton, proceeded too fast for those consummate politicians. A new deliberative and representative body was formed under the name of agents of several regiments. They issued in succession, after a short interval, two remarkable papers, — one entitled, “The Case of the Army,” addressed to Fairfax; the other, in part identical with it, containing a new scheme of government, under the name of “An Agreement of the People,” and addressed to “the free commons of England.” The chief novelty in these papers was the avowal of a design to establish a republic, without king or lords.‡

* His life was a continued series of libellous complaints and quarrels, prosecutions and punishments. Henry Marten said of him that if he were alone upon earth, John would quarrel with Lilburne, and Lilburne with John. The common appellation of “Free-born John,” is more creditable to him.

† Lilburne and Wildman are said (Holles’s Memorials and Sir John Berkley’s Memoirs) to have formed a plot to assassinate him as a renegade who was sacrificing the public cause to his personal aggrandisement. Cromwell’s total indifference, if such was the fact, is a striking proof of the grandeur both of his mind and of his purposes.

‡ The following are among their proposals respecting “the representatives” and “council of state:”—“That 150 members at least be always present in each sitting of the representatives, at the passing of any law, or doing of any act whereby the people are to be bound.

“That every representative shall, within twenty days after their first meeting, appoint a council of state for the management of public affairs, until the first day of the next representative; and the same council to act and proceed therein according to such instructions and limitations as the representatives shall give, and not otherwise.

“That, to the end all officers of state may be certainly accountable, and no factions made to maintain corrupt interests, no member of the council of state, or any officer of any salary in army or garrison, nor any treasurer

This mutinous confederacy, so described by Fairfax, comprised 16 regiments, and all the more frankly republican officers.* But Cromwell and Ireton were strongly opposed to it, perhaps from more sagacious views of the public cause, and even of republican liberty; and, to check the spirit of mutiny, Fairfax, by their advice, issued his orders for a rendezvous or inspection of the army.

The rendezvous was ordered to take place on the 15th of November, at Ware, in Hertfordshire. Fairfax commanded the attendance of only seven regiments, with which he calculated upon awing the mutineers.† These regiments were duly subordinate, and accepted a test of their fidelity and discipline in express condemnation of the agent's proceedings, tendered to them by the general. But two regiments, Harrison's horse and Lilburne's (Robert) foot, came to the ground without orders, bearing in their hats the paper called "The Agreement of the People," and in a state of disobedience approaching to mutiny.‡

There are two authoritative, yet materially differing

or receiver of public moneys, shall, while such, be elected to be a representative; and in case any such election shall be, the same to be void: and in case any lawyer shall be chosen of any representative or council of state, then he shall be incapable of practice as a lawyer during that trust.

"That the power of the people's representatives extend without the consent or concurrence of any other person or persons, to the enacting, altering, repealing, and declaring of laws, to the rejecting and abolishing officers at courts of justice, and to whatsoever is not in this agreement excepted or resolved from them:

* As particularly, (1.) We do not empower our representatives to continue in force or make any laws, oaths, and covenants, whereby to compel, by penalties or otherwise, any person to any thing in or about matters of faith, religion, or God's worship; or to restrain any person from the professing his faith or exercise of religion, according to his conscience, in any house or place, except such as are or shall be set apart for the public worship: nevertheless the instruction or direction of the nation in a public way for the matters of faith, worship, or discipline, so it be not compulsive, or express popery, is referred to their discretion.

** We do not empower them to impress or constrain any person to serve in war either by sea or land, every man's conscience being to be satisfied in the justness of that cause wherin he hazards his life." — Rushworth, vli. 1359, 1360.

* Ludlow (Mem. i. 192.) describes it as a rendezvous of the whole; but Fairfax (Letter to the Speaker of the House of Lords) expressly states that he reviewed only seven regiments, and that the two additional regiments came to the ground without orders. He, however, states that he proposed a second rendezvous.

† Fairfax's Letter in Rushworth, v. 7.

‡ Id. ibid.

versions of what passed at this rendezvous — the official letter of Fairfax, and the narrative of Ludlow. Fairfax represents the regiment of Harrison to have been easily brought to a sense of duty, and that of Lilburne without much difficulty, upon the arrest of some ringleaders, three of whom were condemned to die, and one shot at the head of his regiment. Cromwell, not even named by Fairfax, is represented by Ludlow as riding up to the head of a mutinous regiment, with a suite of his favourite officers, ordering twelve of the mutineers to be seized by his attendants, and one to be shot on the instant. It does not, however, appear that Ludlow was on the ground ; and it is obvious that the part really taken by Cromwell is described in a spirit of hostile exaggeration by an exiled republican, who recollects Cromwell as an usurper and renegade. It may be added, that a third account, professing to be that of an eyewitness, coincides exactly with the letter of Fairfax, adding that colonel Ayres, major Scott, and captain-lieutenant Bray were placed under arrest, as mutineers.*

Thus terminated the rendezvous, apparently in the suppression of a mutiny — really in the prevention of a perilous schism, the complete union of the army, and its march henceforth undivided and undiverted in the career of republicanism. Neither the designs nor even the conduct of Cromwell and Ireton can be satisfactorily unveiled. Many writers, treating of the part acted by them at this period, with no other basis than their supposed rather than real characters, have made confident assertions without grounds sufficient even for speculation. One fact only is indisputable, — that a reconciliation took place between Cromwell and Ireton on the one side, Rainsborough, Scot, and the other chiefs of the new republican movement, on the other, almost immediately after the rendezvous at Ware. It is further stated by a searching and accurate inquirer into the various materials of history at this period †, that, within

* See Preface to Select Tracts, &c., by Cursitor Baron Maseres.

† Ibid.

three days after the rendezvous, the officers of the army, in “great numbers,” came to Cromwell and Ireton, and told them the army would be divided against them unless they renounced the king and adopted the republic; and that Cromwell, who knew the army was his sheet anchor, gave his express adhesion. It may be safely affirmed that the main stipulation of this new league was an explicit abandonment by Cromwell and Ireton of their manœuvres, for the purpose, pretended or real, of restoring the king.

CHAP. III.

1647—1649.

INTRIGUES OF THE KING WITH THE PRESBYTERIANS, THE SCOTS, AND THE INDEPENDENTS. — HIS FLIGHT FROM HAMPTON COURT TO THE ISLE OF WIGHT. — DEPARTURE OF THE SCOTS COMMISSIONERS. — SECOND CIVIL WAR. — KENTISH AND OTHER INSURRECTIONS. — SCOTS INVASION. — REVOLT OF THE FLEET. — TREATY AT THE ISLE OF WIGHT. — PETITIONS AND PROCEEDINGS AGAINST THE KING. — HIS TRIAL, EXECUTION, AND CHARACTER.

WHilst the independents and the army were thus overcoming every opposing force in their advance to a republic, the king on his part made a great and decisive step towards his unhappy end — his flight from Hampton Court to the Isle of Wight. It would require a volume to give, in clear order and detail (yet arriving only at probability), this complex episode of intrigue and incident; between the reproaches and recriminations of the king's agents and partisans, and the various artifices ascribed to the independents. The supposed agency and arts of Cromwell are such as would imply in him, not only the rare sagacity which he possessed, but supernatural foreknowledge. Here it will suffice to state the leading facts and more prominent traits.

Ashburnham, on his admission to attend the king's person, gave his word of honour to colonel Whally for the king's not attempting to escape. The king also gave his word to the same intent. Early in November, Charles ordered Ashburnham to find some pretext for withdrawing his engagement.* The latter accordingly did so, under pretence of apprehending an attempt like

* Ash. Narr. &c.

Joyce's, to carry away the king, either by the levellers of the army, or by the Scotch commissioners, who of late were frequently at Hampton Court. Ashburnham, upon this, was removed; and Charles, now guarded more strictly, took advantage of the new restraint as a reason to withdraw his own word.

It appears from Ashburnham's account*, that the king, despairing of Cromwell and Ireton, and alarmed by private intimations for the safety of his life, resolved upon flight from Hampton Court. The party of levellers, so called, which had grown up in the army, upon his fatal refusal of the "proposals," spoke openly of his perfidy; of his being the great obstacle to the settlement of the commonwealth; of his being the author of civil war and bloodshed; and of the justice and the duty of bringing him to condign punishment.† There is extant an anonymous letter to the king, giving him notice that the taking of his life was meditated by the agitators‡; and it has come down the stream of history as a fact, that a letter from Cromwell to Whalley, giving a similar warning, was shown to the king by that officer. The latter warning, according to some writers, was inspired by a regard to the king's safety,—according to others, it was a device of the

* See Ash. Narr. before cited, *passim*.

† Colonel Rainsborough is accused (see Ash. Narr. 101.) of having designed to kill him. It is doubtless a slander upon that republican officer.

‡ It runs as follows:—

"London, Nov. 9. 1647.

" May it please your majesty,

" In discharge of my duty I can't omit to acquaint you, that my brother was at a meeting last night with eight or nine of the agitators, who, in debate of the obstacles which did most hinder the speedy effecting of their designs, did conclude it was your majesty, and so long as your majesty doth live, you would be so; and therefore resolved, for the good of the kingdom, to take your life away; and that to that action they were well assured that Mr. Dell and Mr. Peters, two of their preachers, would willingly bear them company; for they had often said to these agitators, your majesty is but as a dead dog. My prayers are for your majesty's safety; but do too much fear, it can't be whilst you are in those hands. I wish with all my soul that your majesty were at my house in Broad Street, where I am confident I could keep you private till the storm is over; but beg your majesty's pardon, and shall not presume to offer it as advice; 'tis only my constant zeal to your service, who am your majesty's dutiful subject. E. R."—*Masceres, Preface*, p. xxxi.

future regicide to deliver him into the hands of his enemies.*

The king, in fear from hour to hour for his life †, resolved upon attempting his escape, and charged Ashburnham with the execution. The message was conveyed to him by Legge, who was still permitted to attend the king. Sir John Berkley was associated in the project with reluctance on the king's part, and at the request of Ashburnham.‡ The first consideration

* That a letter was shown by Whalley to the king the day before his flight is certain. The king, in a letter left by him on his table for Whalley, says, in a postscript, "I assure you that it was not the letter you showed me to-day that made me take this resolution, nor any advertisement of that kind." The Journals of the Lords (see Lords' Journ. Nov. 12. 1647.; and Parl. Hist. iii. 788.) show that the letter of E. R. was communicated by Whalley, appended to the king's letter; and the fact of Cromwell's having written a letter to Whalley, but not Whalley's having shown it to the king, appears from the Commons' Journ. Nov. 1647.

There is, however, in Peck's *Desiderata Curiosa* (lib. ix. p. 38. &c.) a letter which would fix at once upon Cromwell the fact of having written to Whalley a letter intimating danger to the king, and *shown to him by that officer*. It professes to be addressed by Whalley to the speaker Lenthal, for the purpose of giving him, at his request, the particulars of the king's escape, and says, near the close, "Whereas, Mr. Speaker, you demand of me what that letter was I showed the king the day he went away. The letter I shall show you; but with your leave, I shall first acquaint you with the author, &c. The author is lieutenant-general Cromwell, &c." He gives as his reason for showing it to the king, "that he (the king) might be assured our general officers abhorred so bloody and villainous a fact, and that I might get a nearer admittance to his majesty, that so I might better serve him." Peck's account of this letter is open to suspicion. He merely says, "From a MS. of Mr. Oudart's handwriting, now in the hands of the publisher." The MS. of the *Eikon Basilike* was in the handwriting of the same Mr. Oudart, and his name is introduced in this letter with suspicious plausibility. It is also strange that Whalley should in this letter "first acquaint," the speaker, with the author, after having before named the author to the house. (See Jour. Nov. 1648.)

There is some confirmation in the following passage in major Huntington's "Reasons for laying down his Commission."—"Cromwell," he says, "would often say those people (the new agitators) were a giddy headed party, and that there was no trust nor truth in them, and to that purpose wrote a letter to colonel Whalley, on the day that the king went from Hampton Court, intimating doubtfully that his majesty's person was in danger by them, and that he should keep out guard to prevent them, which letter was presently shown to the king by colonel Whalley."

† Ash. Narrative, &c. "When wee came (says Ashburnham), I told his majestie that Mr. Legg had deliver'd his pleasure to us, to provide for his goeing from thence, and wee were verie ready to obey him; but I did most humbly begg of him, that *hee would bee pleased to say whither really and in verie deede he was afraid of his life in that place*, for his goeing from thence seemed to us an occasion of a verie great change in his affaires.

"*His majestie protested to God, that hee had greate cause to apprehend some attempt upon his person, and did expect everie houre when it should bee. I reply'd, that it did not then become us to make anie further enquiry, but to apply ourselves to the discharge of our duties; and, therefore, if his majestie would bee pleased to say whither hee would goe, wee would carry him thither, or loose ourselves in the endeavour of it.*"—Vol. ii p. III.

‡ Charles at first objected positively to Berkley's being employed (Ash.

was the king's place of retreat. Charles proposed Jersey, from its facilities of escape to the continent. Ashburnham over-ruled this proposition, as equivalent to giving up the king's cause, and proposed London, but with the condition of previous concert with the Scots commissioners, who should meet him at the house of the lord mayor. The Scots, "who," says Ashburnham, "were then at Hampton Court, and had made several overtures of their service," joined earnestly and unanimously when this plan was proposed to them, but after a night's reflection, to the king's amazement, their minds were changed. It is, however, due to them to add, in the words of Ashburnham, that "they handsomely offered to wait upon him in the utmost dangers, as private persons, not as public ministers." Ashburnham, encouraged, he says, by a conversation with colonel Hammond, proposed the Isle of Wight, of which Hammond was governor. This fatal, but assuredly well-meant counsel, was the more readily adopted that the governor was the nephew of doctor Hammond, one of the king's favourite chaplains.

On the night of the 11th of November, while the king was supposed by colonel Whalley to be writing in his private cabinet, he retired secretly from Hampton Court, and arrived next morning with Ashburnham, Berkley, and Legge, on the coast of Hampshire. Ashburnham's plan was that the king should remain concealed at the house of sir John Oglander, in the island, until his attendants should have sounded the disposition of the governor. Charles had approved this course, but now preferred remaining at Titchfield House*, whilst Ashburnham and Berkley proceeded to the Isle of Wight.

The two envoys have severally given minute and conflicting particulars of their ill-omened mission. Berkley's account has been long before the world, and is blended with Clarendon's rambling, but interesting

Narr.). Berkley has traduced Ashburnham, at least by insinuation, perhaps from envy of his higher favour with their master.

* Lord Southampton's.

fiction founded on fact, by succeeding historians.* He charges Ashburnham with having, in defiance of his remonstrances brought Hammond to the king at Titchfield ; whilst the latter relates that his colleague opened the matter indiscreetly and abruptly with the question, “Who do you think is near you ?” and upon Hammond’s replying “he did not know,” rejoined, “The good king Charles, who is come from Hampton Court for fear of being privately murdered :” that as the governor after this could easily discover the king’s retreat, he thought it better to conduct him at once to the presence of the king. Both are agreed that Hammond received Berkley’s communication with such a tremour, that he could scarcely keep his horse ; that after some conference, he pledged himself to “make good to the king whatever should under the circumstances stated be expected of a man of honour and honesty.” †

Charles, upon being informed of Hammond’s accompanying them, declared that he should be made a prisoner, and “they had undone him.” Ashburnham offered to repair his error by despatching with his own hand the governor and the commandant of Cowes Castle, by whom alone he was attended. But the king could calculate the value of character, and was moreover not cruel. He paced the room, “weighing,” says Ashburnham, “what I had proposed to him ;” rejected an assassination which would recoil upon himself ; admitted “to kiss his hand” the governor and commandant, who were waiting impatiently in the court below ; endeavoured to cajole Hammond with admirable dissimulation — for dissimulation, a vice in others, is an accomplishment in kings — and accompanied him

* Many curious instances of Clarendon’s want of accuracy and scruple will be found in lord Ashburnham’s “Vindication” of his ancestor. The first seven books, ending with March, 1645, and written by him in Scilly and Jersey, are frequently contradicted by his own collection of state papers, and the remainder of the work was composed by him in his exile, after a lapse of several years when his recollection of events became faded or confused. Some of his mistakes, corrected by the original editors, have been revealed in the recent Oxford edition.

† Ash. Narr.

with seeming cheerfulness and confidence to Carisbrook Castle in the Isle of Wight.*

From the foregoing premises the inference is conclusive that the flight of Charles to the Isle of Wight was the result, not of impulses given by Cromwell and Ireton, but of fluctuating counsels and casualties in which they had no share. It is further said, that they appointed Hammond, their creature, to the government of the Isle of Wight, for the purpose of entrapping the king. This statement is equally groundless. There are extant two letters of Cromwell and Ireton to Hammond †, which prove him by no means a person upon whose compliance they could reckon ; and it expressly appears from the letter of Cromwell, that Hammond, dissatisfied with the proceedings of the army, spontaneously sought the government of the Isle of Wight for retirement and quiet. ‡

* It is obvious from the accounts of both Berkley and Ashburnham, that Hammond expressly, or by implication, gave the king to understand that nothing was to be expected by him inconsistent with the duties of an officer commissioned by the parliament. Ashburnham intimates, or assumes (his language is vague) that the king was to be the sole judge between himself and Hammond of what was "honourable and honest," which would be altogether absurd.

† Republished in lord Ashburnham's Appendix from "Letters to and from Colonel Robert Hammond," &c.

‡ "Was there not a little of this" (the providential), says Cromwell, "when Robert Hammond, through dissatisfaction too, desired retirement from the army, and thought of quiet in the Isle of Wight?" This letter is interesting in other respects. It shows that Hammond considered the army bound to yield obedience to the parliament, and contains Cromwell's justification of resistance in the abstract and in the particular case.

" You say, ' God had appointed authorities among the nations, to which active or passive obedience is to be yielded. This resides in England in the parliament. Therefore, active or passive, &c.' Authorities and powers are the ordinance of God. This or that species is of human institution, and limited, some with larger, others with stricter bonds, each one according to its constitution. I do not therefore think the authorities may do any thing, and yet such obedience due; but all agree, there are cases, in which it is lawful to resist. If so, your ground fails, and so likewise the inference. Indeed, dear Robin, not to multiply words, the query is, whether ours be such a case? This ingenuously is the true question. To this I shall say nothing, though I could say very much; but only desire thee to see what thou findest in thy own heart as to two or three plain considerations: 1st, Whether *salus populi* be a sound position? 2dly, Whether, in the way in hand, really and before the Lord, before whom conscience must stand, this be provided for; or the whole fruit of the war like to be frustrated, and all most like to turn to what it was, and worse. And this contrary to engagements, declarations, implicit covenants with those who ventured their lives upon those covenants and engagements, without whom, perhaps, in equity, relaxation ought not to be. 3dly, Whether this army be not a lawful power, called by God to oppose and fight *against the king* upon some *stated grounds*; and being in

The parliament, meanwhile, between the new agitations in the army and the king's flight,—itself moreover, unsupported without, and disorganized within—was in the most precarious condition. News arrived from the commissioners, from Cromwell, and from Fairfax, of the escape of the king. His letters to the commissioners, and to colonel Whalley, were communicated at the same time. It was suspected that he lay concealed in London; and the two houses immediately voted that any person concealing him incurred the forfeiture of estate and life. Intelligence soon came of his being in the custody of Hammond at Carisbrook Castle, in the Isle of Wight. Hammond received instant orders from the parliament, in return, to guard the king with the utmost diligence, and treat him with all respect.* The parliament at the same time proceeded with a series of propositions to be submitted to the king. They were anticipated by a letter from him, in which he pleaded scruples of conscience against the abolition of episcopacy, and returned once more to his demand of treating personally in London.

The Scots commissioners, who abhorred the growth of independency and toleration, and were long intriguing with the king, urged with great earnestness the king's demand to treat personally in London, and objected to the proceeding by propositions. It was resolved, by way of compromise, that the four following proposals should be submitted to him for his assent, viz:

“ 1. That a bill be passed into an act by his majesty, for settling of the militia of the kingdom.

“ 2. That a bill be passed, for his majesty's calling in of all declarations, oaths, and proclamations against the parliament, and those who have adhered to them.

power to such ends, may not oppose *one name* of authority for those ends as well as another? the outward authority, that called them, not by their power making the quarrel lawful; but it being so in itself. If so, it may be, acting will be justified in *foro humano*.”—*Ashburnham*, vol. ii. App. pp. 54—56.

* May. Second Civil War.

" 3. That those lords who were made after the great seal was carried to Oxford may be made incapable of sitting in the house of peers.

" 4. That power may be given to the two houses of parliament to adjourn, as the two houses of parliament shall think fit." *

The Scots objected and protested against this proceeding, and still insisted upon treating with the king in London.

Charles, meanwhile, sent Berkley from the Isle of Wight with letters to Fairfax, Cromwell, and Ireton, at Windsor. They refused him a private meeting, and desired him to present his letters before the council of officers. Cromwell and Ireton treated him with freezing reserve. He should have been better prepared for his reception than he professes to have been. Joyce joined him on the way, by design or accident, escorted him to Oxford, and informed him, in the course of conversation, that the king's being brought to trial was "discoursed among the agitators." In the evening of the day on which he appeared before the council of officers he had a secret interview with a general officer, whom he does not name, and was informed by him of the reconciliation, already mentioned, between Cromwell, Ireton, and the new agitators, with the startling addition, that the latter, by way of peace-offering, had given up the king. Berkley immediately despatched a confidential letter, in cypher, to Charles, and proceeded to London, where he entered into communication with lords Lauderdale and Lanerick.

The four bills, voted by both houses on the 14th, were submitted on the 24th of December by commissioners, for his assent, to the king.†

Charles, meanwhile, had come to an understanding 1648. through Lauderdale and Lanerick with the Scotch commissioners. They protested against the proceeding of the

* Select Tracts, i. 108. May. Second Civil War. Parl. Hist. iii. 779.

† Lords' Journ. Dec. 1647.

parliament, and, after ten days' deliberation, he refused his assent.

A secret treaty was signed between the king and the Scots, in which he bound himself to renounce episcopacy, and accept the covenant in solemn parliament of both kingdoms; with this condition, that the refusal of it should not be penal, and that the common service might continue to be used by himself. The Scots, on their part, engaged to restore the king by treaty, or by arms. The king thus put his hand to a secret treaty for the abolition of prelacy, in the face of his plea of conscience, and his profession rather to meet the alternative of death. It may be said for him, with more truth than advantage, that, casuist as he was, he took the engagement with a mental reservation against performing it. It is certain that he contemplated a war between the Scots and English; that he encouraged the cavaliers to prepare to take the field.* He doubtless looked for such a result as would enable him to remodel church government in a manner favourable to prelacy; and no reasonable person will deny that, however vicious the king's views of government in state, a church hierarchy imposed by him would be more comprehensive and mild than the bigot covenant.

The Scots commissioners, for some time enemies under the mask of friends, could not always control their anger. They were, moreover, anxious to wipe away the reproach of having sold their sovereign. Having obtained the king's signature to the secret treaty, they left the island to prepare for war, on his behalf, upon the parliament of England.

Charles had already resolved upon his escape, and charged Ashburnham once more with the execution.†

* See his orders to lord Capel in Clarendon, v. 475. et seq.

† The king, therefore, did not doubt the fidelity of Ashburnham, of which no doubt can now be entertained by anybody. There is no fair ground for even questioning his discretion. It is true that his advice and conduct proved unfortunate, but there is not a more vulgar or fallacious criterion than the event. Lord Ashburnham's "Vindication," contains a valuable exposure of Clarendon's infidelities as a historian. It is to be regretted that he overdoes and is somewhat passionate in his triumph. .

Ashburnham readily undertook to conduct him to the coast, and advised a message from him to the queen, desiring her to send with the utmost speed a French vessel to Southampton, under pretence of trading, to be at Ashburnham's disposal for the conveyance of the king to France, "which," he adds, "was discreetly performed."*

Meanwhile, increasing difficulties and dangers environed him. The parliamentary commissioners who waited on him with the four bills suspected the treaty with the Scots, and his intended escape from the island. Hammond, the governor, probably on their suggestion, removed Ashburnham, Berkley, and Legge from their attendance on the king's person, and doubled his guards.

This was soon followed by a blow more fatal to his authority and life. The report of his answer, made by the commissioners to both houses, produced in the house of commons a tempestuous debate, and a resolution of momentous consequence. During the great period of the civil war and commonwealth, most unfortunately, the parliamentary history contains little else than short abstracts and state papers. There are a few meagre notices of the debate on this occasion, by a member of the house, but a partisan.† It was moved,

* Clarendon, whose offers of service and gross flatteries were rejected by the queen, has insinuated against her the wickedness of preventing her husband's flight to France, lest his presence should disturb her intimacy with lord Jermyn; and the charge is echoed from Warburton to Hallam. But it is clear that, when she saw his life in danger, she used her utmost efforts for his escape (see Berkley's and Ashburnham's Narratives); and with her fearless and impassioned temper, it was natural that she should advise his remaining in England whilst he had any hope left. Even Ashburnham, on the spot, was against his leaving the kingdom, as equivalent to throwing up the game.

† Walker, the presbyterian historian of independency. Mr. Godwin (Commonwealth, ii. 493. note) refuses all credit to the "Account of the Speeches," given by Walker, who, however, is substantially confirmed by May (Origin and Progress of the Second Civil War; Select Tracts, by Cursitor Baron Maseres), as follows:—

"On the third of January, the house of commons debated of this denial of the king; the dispute was sharp, vehement, and high, about the state and government of the commonwealth; and many plain speeches made of the king's obstinate averseness, and the people's too long patience; it was there affirmed, that the king, by his denial, had denied his protection to the people of England, for which only subjection is due from them; that, one being taken away, the other falls to the ground. That it is very un-

in pursuance of the report, that no further address or application be made to the king, or message received from him, without the consent of both houses, under the penalties of high treason.* The supporters of the resolution are alone named. Sir Thomas Wroth having said that kings of late carried themselves as if they were more fit for bedlam than Tophet, made three propositions: — to confine the king in some inland fortress, to impeach him, and to lay him by in settling the government, — “ he cared not,” he said, “ what form of government were set up, so it were not by kings or devils.” Ireton spoke with a moderation of more deadly force. He said, “ the king had denied that protection to the people which was the condition of obedience to him; that after long patience they should now at last show themselves resolute; that they should not desert the brave men who had fought for

just and absurd, that the parliament (having so often tried the king’s affections) should now betray to an implacable enemy, both themselves and all those friends, who, in a most just cause, had valiantly adventured their lives and fortunes; that nothing was now left for them to do, but to take care for the safety of themselves and their friends, and settle the commonwealth (since otherwise it could not be) without the king.”—*Maseres, Select Tracts*, i. 108.

* The following is the text of this famous resolution, or series of resolutions: —

“ The lords and commons assembled in parliament, after many addresses to his majesty, for the preventing and ending this unnatural war, raised by him against the parliament and kingdom, having lately sent four bills to his majesty, which did contain only matter of safety and security to the parliament and kingdom, referring the composure of other differences to a personal treaty with his majesty; and having received an absolute negative, do hold themselves obliged to use their utmost endeavours, speedily to settle the present government, in such a way, as may bring the greatest security to this kingdom, in the enjoyment of the laws and liberties thereof, and, in order thereunto, and that the houses may receive no delay nor interruptions in so great and necessary a work, they have taken these resolutions, and passed these votes following, viz. :

“ The lords and commons do declare, That they will make no further addresses or applications to the king.

“ Resolved, &c. By the lords and commons assembled in parliament, that no application or address be made to the king by any person whatsoever, without the leave of both houses.

“ Resolved, &c. By the lords and commons, assembled in parliament, that the person or persons, that shall make breach of this order, shall incur the penalty of high treason.

“ Resolved, &c. That the lords and commons do declare, That they will receive no more any message from the king, and do enjoin, That no person whatsoever, do presume to receive or bring any message from the king to both, or either of the houses of parliament, or any other person.”—*Select Tracts*, i. 109.

them beyond all possibility of retreat or forgiveness, and who would never forsake the parliament—unless the parliament first forsook them.” “After some further debate,” says the author who has recorded these speeches, “Cromwell brought up the rear. It was time, he said, to answer the public expectation, that they were able and resolved to govern and defend the kingdom by their own power; and teach the people they had nothing to hope from a man whose heart God hardened in obstinacy. “Do not,” said he, “let the army think themselves betrayed to the rage and malice of an irreconcilable enemy, whom they have subdued for your sake, from whom they should meet revenge and justice—do not drive them to despair, lest they seek safety by other means than adhering to you, who will not stick to yourselves—and (laying his hand on his sword) how destructive such a resolution in them will be to you all, I tremble to think, and leave you to judge.” A preliminary resolution, involving the principle*, was carried by a majority of 141 to 92,—exhibiting, doubtless, the respective numbers of the monarchists and republicans.

The lords, after two days of discussion or delay, concurred with the commons. Their compliance is ascribed, by the historian of independency, to a letter of the commons to Fairfax, desiring from him a military guard to occupy Whitehall and the Mews. Warwick and Manchester recorded their dissent by a protest.

The army immediately sent up two declarations: one of adhesion to the house of commons upon the resolution first passed; the other to the lords, disclaiming hostility to the peerage. A deputation of seven colonels and other officers, appointed by Fairfax, and bearing a letter from him, presented these addresses, and received the thanks of both houses.†

* See last note.

† Journ. Lords and Commons, Jan. 3. and 15. 1648, and May's Origin and Progress of the Second Civil War. The winding up of the Declaration, &c., refutes the slanderous and sneering impertinence which has represented the republican officers as canting hypocrites or drivelling

The commissioners of the states of Scotland now took their leave in a letter of implied menace and avowed discontent, addressed to the speaker of the house of peers. Hitherto the executive power of the parliament, or commonwealth, was vested in “a committee of both kingdoms,” so called, holding its sittings at Derby House. The Scots commissioners ceased to influence English affairs since the departure of their army,—an effect which it is strange they did not foresee. Upon their retirement, the executive functions of the government were vested in a “committee of safety,” consisting of seven peers and thirteen commoners; also holding its sittings at Derby House; and newly empowered to raise forces, when they saw occasion, for the maintenance of peace.*

Fairfax, in compliance with the vote and letter of the house of commons, detached forces of horse and foot to occupy Whitehall, the royal mews, and the Tower of London. The house of commons issued a “declaration of reasons for the vote of non-communication with the king. This document, unlike the compact and vigorous papers in the name of the army, is long and laboured,

fanatics, who burlesqued Scripture by rhapsodies, which they called “inspiration.” They were men who fought and reasoned with equal boldness.

“Thus we account that great business of a settlement to the kingdom, and security to the publick interest thereof, by and with the king’s concurrence, to be brought unto so clear a trial as that (upon the king’s denial of those things) we can see no further hopes of settlement or security that way.

“And, therefore, understanding that upon the consideration of that denial, added to so many others, the honourable house of commons, by several votes, upon Monday last, have resolved not to make any further address or application to the king, nor receive any from him, nor to suffer either in others. We do freely declare for ourselves, and the army, that we are resolved, through the grace of God, firmly to adhere to, and stand by, the parliament, in the things voted last Monday, concerning the king, and in what shall be further necessary for prosecution thereof, and for settling and securing of the parliament and kingdom, without the king, and against him, or any other that shall hereafter partake with him.”—*Select Tracts*, i. iii.

* The English members of the former committee were re-appointed, with the exception of those who were under impeachment, or dead. The new executive was composed of lords Northumberland, Kent, Warwick, Manchester, Say, Wharton, and Roberts; Pierrepont, Fiennes, the two Vanes, Armine, Gerard, Haslerig, Evelyn, Cromwell, St. John, Wallop, Crew, and Brown.

without discrimination or candour. It is a sort of indictment against Charles, recounting his overt acts against the nation, from his relations with Buckingham to his rejection of the four bills.* But it has one peculiar and important feature ; — it made the king responsible in his person, without reference to evil counsellors. It was opposed strenuously — among others, by Maynard, a time-serving lawyer and presbyterian — with legal technicalities. The parliament, he argued, dissolved itself by its vote of non-communication with the king.† It is easy to conceive the frivolity of such an argument addressed to men who, after having fought and vanquished the king, now held him a close prisoner, and ascended to the first principles of government and obedience. The declaration, after several debates and amendments, was carried by a majority of eighty to fifty. ‡

The first quarter of this memorable year was tranquil. The parliament, supported by a devoted and gallant army, appeared victorious and secure. These appearances were deceitful. In the spring there was a general presentiment of fearful events, with various rumours of secret conspiracies. The cavaliers, or malignants, so called, could not conceal their hopes. The presbyterians, actuated by sectarian bigotry and selfish party spirit, would obliterate all that had been done by the long parliament, including their own share in its achievements, rather than see religious toleration and political liberty established by the independents. § “The king himself,” says a contemporary writer of the highest credit, “though set aside and confined within the Isle of Wight, was more formidable this summer than in any other when he was followed by his strongest armies.”|| The pity of the vulgar, in most cases so humiliating, gave dignity and sacredness to the sufferings of a king who suffered so well. Even

* See Parl. Hist. iii. 847., &c.

† See Clar. 5. 516.

‡ Com. Journ., Feb. 11. 1648.

§ May, Origin and Progress of the Second Civil War. Select Tracts, i.

|| Ibid.

Cromwell's resolution is said to have given way to his sagacity. Having tried in vain to reconcile the presbyterians and independents, he proposed to the latter to relax and temporize with the king.*

Insurrections, tumultuary and organized, soon broke out. The first explosion was in the city. A mere rabble assembled in Moorfields on a Sunday, in violation of a Sabbath ordinance, broke into several houses and procured arms, then proceeded to Westminster with cries for the king, was driven back by a single troop of horse, obtained a reinforcement in the city, kept possession of the chief posts east of Temple Bar that day and night, and was completely and easily dispersed next morning by Fairfax. Insurrectionary movements were visible at the same time in the metropolitan counties of Surrey, Kent, and Essex, in the eastern and northern counties, and in Wales.

The presbyterians once more seemed to have the ascendant. On the 24th of April, 306 members answered to a call of the house. The first vote of the majority was to grant the prayer of a petition of the common council for the restoration of their military posts and defences — the second, and more important, that the government of the kingdom should be by king, lords, and commons, and that a treaty should be opened with the king. This resolution passed on the 28th of April. As if to remove all doubt of the spirit which animated the party now dominant, an ordinance subjecting heresy and blasphemy to death or abjuration was revived. The grand juries of Essex, Surrey, and Kent, in the names of their respective counties, petitioned for the king's restoration to his power and honours.

On the 26th of May the Surrey petitioners, about 300 in number, came up to Westminster with their petition, railed at the parliament, assaulted the military guard, and were soon routed, with the loss of some lives, by two companies of horse and foot.

* Ludlow, i. 238.

The Kentish petitioners, assembled at Blackheath in arms, under the orders of lord Goring, presented a more formidable array. Whilst Fairfax advanced to Blackheath, Goring fell back upon Greenwich, and having tried in vain to open a correspondence with the city, crossed the Thames into Essex, proceeded to Chelmsford, and in conjunction with sir Charles Lucas, a cavalier officer on parole, and lord Capel, collected a large but tumultuary armed force. Fairfax having himself taken Maidstone, and despatched Ireton and Rich against the insurgents in Canterbury and Dover, pursued Goring across the Thames, and drove him into Colchester. Goring, who made no stand in the field, resisted an assault of seven hours by Fairfax with unexpected vigour, and maintained the place.

Meanwhile the flame of insurrection broke out with violence in other quarters. Three officers, who had served the parliament with credit, colonels Poyer, Powel, and Langhorne, were gained over and commissioned by the prince of Wales. They were already in possession of Pembroke Castle, and raised an army of about 8000 Welshmen.* This insurrection was regarded as so serious, that the suppression of it was assigned to Cromwell. On his arrival, colonel Horton, with only 3000 men, had already routed the main army of Langhorne, who sought refuge with Poyer in Pembroke Castle. Cromwell charged colonel Eure with the siege of Chepstowe, which was soon taken, and took the siege of Pembroke Castle upon himself. It held out two months in the hands of men who had offended past forgiveness, and surrendered at discretion on the 11th of July. Langhorne, Poyer, and Powell were condemned to death as traitors. After several months' imprisonment it was ordered that one only, to be determined by lot, should suffer. The lot fell upon Poyer, and he was executed.

An example of more questionable severity was made by Fairfax. Colchester capitulated on the terms of pro-

* May, Origin and Progress of the Second Civil War.

tection to the inhabitants, and freedom to the soldiers ; but with the hard condition that the superior officers, for the very reason that they had made so brave a defence, should surrender themselves prisoners at discretion. This barbarous principle pervaded the laws of warfare at the time throughout Europe. Lords Goring and Capel, sir Charles Lucas, sir George Lisle, and other officers, were tried by court-martial and sentenced to die. Lucas and Lisle were selected for execution, whilst their companions solicited that they should share the same fate.

The earl of Holland, with the young duke of Buckingham, his brother lord Francis Villiers, the earl of Peterborough, general Dalbier, and other persons of name, raised the king's standard in Kent with about 1000 horse, attempted vainly, like Goring, to open a correspondence with the city, was routed by a detachment from the army of Fairfax, with the loss of lord Francis Villiers slain, and pursued to St. Neot's in Huntingdonshire, where he was made prisoner. Dalbier was cut down by the parliamentarians in their indignation at his treachery. Holland was confined in Warwick Castle, and the Duke of Buckingham escaped to France.

Whilst the earl of Holland was thus inauspiciously engaged for the king against the parliament, his brother the earl of Warwick was serving the parliament as admiral of the fleet. Warwick had been removed from his post of admiral in 1645 ; and Batten, vice-admiral, with other presbyterian officers, was displaced by the independents at the close of 1647. Rainsborough, whose education had been naval as well as military, and who was the son of the distinguished naval commander of that name, had now the commission of vice-admiral. Upon presenting himself on board, in the Downs, to the fleet, the sailors would not acknowledge his authority, put him ashore, declaring that they were for the king, and would serve under the prince of Wales, and soon after made sail for the coast of Holland, where the prince then

was with his brother the duke of York, who had escaped from England by the earnest advice of the king.*

Warwick, in this emergency, was reappointed high admiral, proceeded to the Downs, where the insurgent fleet still lay, and failed to win back the seamen. He next took the command of four ships at Portsmouth; whilst the prince of Wales, with a fleet of nineteen sail, of which seven or eight were English, sailed from Helvoetsluys to Yarmouth, attempted a landing, was repulsed, proceeded to the mouth of the Thames, and tried to obtain money from the merchants of London on the condition of not capturing their vessels, or, as he called it, of protecting their trade. His next and last attempt was to relieve the castle of Deal, which held for the king; and here, as at Yarmouth, he was again unsuccessful.

By this time (the middle of August) Warwick had collected a fleet which outnumbered that of the prince. The two fleets observed each other for two days without firing a gun. Warwick's forbearance was less gallant than sagacious. The prince of Wales put back to Helvoetsluys, and was followed by the admiral of the parliament, who permitted his men to go ashore, with instructions to persuade their comrades back to their duty. The sailors, a simple-minded race, who loved their country, now saw in themselves the outcast followers of an exiled prince, accepted the pardon which Warwick was empowered to offer them from the parliament, and for the most part returned with their ships to their country and their obedience.

The authority of the parliament was now resisted only in one quarter, but a quarter the most dangerous—the northern counties on the borders of Scotland. Berwick was surprised and occupied by sir Marmaduke Langdale, Carlisle by sir Thomas Glenham and sir Philip Musgrave. Pomfret castle was

* May, Origin and Progress of the Second Civil War. See a minute account of this mutiny, in the recent Life of James II. from his MS. Memoirs, vol. i. p. 40.—He ascribes it to a single individual named Lindale, a boatswain.

next seized by a body of royalists, and the commandant treacherously slain.*

Lambert commanded in the north with a part of the army of Fairfax and the commission of major-general. This officer, with his few regiments of tried and well-ordered soldiers, would probably have retaken those places and routed the tumultuary forces of the royalists, if the latter were not encouraged by the daily expectation of an army of 30,000 men from Scotland. He therefore restricted his operations to confining the insurgents within Cumberland and Westmoreland, preventing insurrection in the counties of York and Lancaster, and organising new forces to resist this third invasion of the Scots.

Early in May a letter, which may be regarded by implication as a declaration of hostilities, was addressed by the Scottish to the English parliament. The Scots made some demands, the modesty of which may be judged from the following: the strict enforcement of the covenant; the establishment of the presbytery; the extirpation of heresies and schisms; the disbanding of the heretic and schismatic army of Fairfax; the release and restoration of the king. Nothing was less expected or thought of than compliance with these demands. The Scotch parliament, therefore, began its military preparations before the letter was despatched, and the bearer had scarcely reached London when it voted an army of 30,000 foot and 6000 horse to make war upon the parliament of England.

Were the people of Scotland unanimous, the trial of strength and valour between the hardy, courageous, and enthusiastic army of the smaller kingdom on the one side, and a fraction only, but comprising the elect of the population, of the larger kingdom, directed by the superior spirits of the age, would have been a spectacle for nations to look on with admiring interest. But Scotland was divided by two of the most irreconcilable elements of discord — party ambition and religious zeal. Hamilton, his brother, and his friends, swayed the par-

* May, Origin and Progress of the Second Civil War.

liament in favour of the king; whilst the kirk ministers, from fanatical zeal, Argyle, Loudon, Leven, and others, from hatred of the Hamiltons, condemned the terms of the secret treaty, and impeded the preparations for war. The ministers, intolerant and vulgar fanatics, denounced the secret treaty, and its relaxations of the covenant, as impious and blasphemous, and, in their prophetic fury, augured and invoked God's wrath upon the invasion.* It was not till the middle of July, that Hamilton was enabled to enter England with only 10,000 foot and 4000 horse, ominously charged, like the Roman triumvir in his Parthian expedition, with the solemn curse of those spiritual tribunes of the people.†

The English parliament, with much reluctance on the part of the lords, voted the Scots enemies, and ordered Cromwell, opportunely disengaged by the surrender of Pembroke castle, to march against Hamilton. Lambert, to whom colonel Lilburne had been sent with a reinforcement, had orders to decline giving battle until Cromwell should come up ‡, retreated before Hamilton, but retarded his march by frequent skirmishes.

There was little unison between the insurgent and invading forces. The conscience of Hamilton's covenanters refused the communion of bloodshed with Langdale's prelatists and papists.

Cromwell had by this time joined Lambert, taken the command, and was at the head of about 10,000 men. He fell upon Langdale by surprise §; drove him back, after a brave resistance, upon the main army of Hamilton; and completely routed the whole army, constituting the last hope of the king. About 1000 were slain, and 4000 made prisoners. This famous battle was fought near the walls of Preston on the 17th of August. Hamilton retreated before Cromwell with the wreck of his army, defended the pass called Winwick with great courage for some hours, reached Warrington on the 19th, was again attacked by Cromwell with such vigour,

* May, Origin and Progress of the Second Civil War. † Ibid.
‡ Rush, vii. 1218. § Clar. vi.

that he fled with only a body of horse towards Scotland, and surrendered himself to lord Grey *, at Uttoxeter, on the 25th of August. General Bailey, and the noted Urry, were made prisoners at Warrington. Langdale soon fell into the hands of the parliamentarians. General Monroe had remained behind Hamilton, near the border, with 3000 horse and foot. Cromwell recovered and garrisoned Carlisle and Berwick ; pursued Monroe into Scotland ; met Argyle, with whom he was in correspondence ; accompanied him to Edinburgh, where Hamilton's party was already deposed, and that of Argyle invested with the government ; was feasted at the castle, and thanked as “ the preserver of Scotland under God.”†

The great crisis of the second civil war was now ended in the triumph of the independents. At the commencement, the chances were incalculably against them,— however doubtful the issue between the presbyterians and the king. Their success is the visible result of the ability and energy of their operations — of the want of method and capacity in the operations of their adversaries. The insurrections in Kent, Surrey, Essex, and Wales — even the mutiny of the fleet — were based upon the expectation of being supported by the Scots. Fairfax and Cromwell crushed the former — Warwick neutralised the latter — not only before the Scotch invasion, but with such rapidity of execution as to prevent mutual support or concert between the several insurgent bodies. Hamilton, it is true, found the northern insurrection merely checked, and still in full force ; but the surrender of Pembroke castle disengaged Cromwell, whilst Fairfax was in a condition to detach reinforcements to the north. It has been seen with what facility the insurgent and invading forces were annihilated.

The republicans had a further element of success, in those great principles which are conveyed in their significant and famous phrase of “ the good old cause.” A good cause is not always worthily espoused, and

* May, Origin and Progress of the Second Civil War.

† Ibid.

is often overwhelmed by circumstances or by brute force. But it may be laid down as a moral induction, that a great principle makes great champions, and that men, combating for a cause in which reason can applaud the impulses of imagination and sentiment, are unconquerable.

It is now necessary to go back to the proceedings of parliament, and the situation of the king. The first show of insurrection, it has been seen, turned the scale in the house of commons to the side of the presbyterians. In the long parliament, as in every other assembly of the same kind, there was a proportion of those timeserving and timid men, who are ever found with the more stirring or the stronger party for the time. Some of the republican leaders were called away to the army, and the turn of affairs seemed in favour of the monarchists. Hence the presbyterians, early in May, were enabled to carry in the house of commons the following among other resolutions: — that the king should be treated with on the basis of the propositions concerted with the Scots; that the solemn league and covenant should be maintained; that the impeached lord mayor and aldermen should be liberated from the Tower; that the seven peers and eleven members under impeachment by the commons should be discharged.

The concurrence of the house of lords, if that name may be given to a mere fraction of the peerage, was speedily obtained.

On the 3d of July, three propositions were voted as preliminary to a personal treaty with the king; viz., that the king should assent to the establishment of presbytery, and surrender the command of the militia, the former for three, the latter for ten years, and recall all proclamations against the parliament during the civil war.

The place of negotiation was more vehemently disputed. London was insisted on by the presbyterians, whilst the independents held out for the Isle of Wight. This question was left for that time undecided.

Some meagre and, doubtless, biassed notices of this debate have been left by the writer already cited.* There appears to have been much heat and violence. Scott, the republican officer who figured at the rendezvous of Ware, scouted the idea of a treaty, at any time or place, with so perfidious and implacable a prince : “They,” said he, “who draw the sword against a king should throw away the scabbard !” It was replied to him, by members not named, that some men gained by fishing in troubled waters, and that the army resembled horse-leeches, feeding upon the blood and marrow of the nation. The presbyterians contended that the king should be brought to London, upon considerations of dignity and safety. “Who can assure us,” rejoined Scott, “that the city will not make their peace with the enraged king, by offering our heads for a sacrifice, as the men of Samaria did the heads of the seventy sons of Ashal ?”

It was proposed that the king should come to one of his palaces, not nearer than ten miles of London, upon the pledge of his royal word not to escape. Mildmay, Vane, and colonel Harvey urged in reply his former perjury. Sir Symonds d’Ewes said, the parliament, was not in a state to stand upon terms. “Your silver,” said he, “is clipped, your gold shipped, your ships revolted, yourselves contemned, your Scots friends enraged, the city and kingdom alienated from you.” In this low condition, the parliament, he said, had no hope but in a speedy settlement with the king. The republicans were not daunted. After some further debate, the Isle of Wight was decided on. The point was thus carried in favour of the independents, to whom, perhaps, it was conceded by the presbyterians, to expedite the negotiation.

In the beginning of August, it was settled that a personal treaty should be opened with the king. The presbyterians, at the same time, attempted to rid themselves of Cromwell by an impeachment. Huntingdon,

* Walker’s Hist. of Independency.

formerly major of his regiment, was the accusing witness.* He gave in to the house of lords the statement already cited, under the name of "Sundry reasons for laying down his commission," and swore to the truth of its contents. Cromwell was at this time on his march against the Scots. The accusation, however false or frivolous, would have proved fatal to him, had he been defeated by Hamilton: he gained the victory of Preston, and the impeachment was suffered to die, whilst he proceeded in triumph to Edinburgh. It was not till the beginning of September, that the commissioners of both houses proceeded to the Isle of Wight for the purpose of the treaty. It is necessary to glance in retrospect once more to the king.

Charles, after his refusal of the four bills, was watched, rather than confined, more rigorously, and the attendance upon his person, both in number and form, retrenched. These severities, if such they should be called under the circumstances, have been grossly exaggerated by his partisans, and after them by succeeding historians.† He was in readiness to escape, and probably would have succeeded, if a sudden change of wind had not kept off the French vessel sent over by the queen.‡ His first attempt was on the 28th of May. Osborne, an attendant given him by the parliament, touched with respect and pity, procured him *aqua fortis* and a file, with which he removed a bar of his bed-room window, so as to admit the passing of his head. He rested satisfied with this trial, under the vulgar impression, that where there is room for the head to pass the body will follow. Upon making the attempt at night, he stuck fast between the bars, and after much difficulty drew himself back, with the assistance of Osborne.§ The latter, by way of

* Huntingdon is described by Milton as a suborned witness.—"That accuser," says he, "struck with remorse, came of himself and besought Cromwell's pardon, and freely confessed by whom he had been suborned."

† See sir Philip Warwick's Memoirs, and Hume's History.

‡ Ashb. Narrative, &c.

§ This account, rejected as an idle tale by Clarendon, and even by Mr. Godwin, is placed above all question by the following passage in Ash-

vindicating himself, charged major Rolf with a design against the life of the king.*

The commissioners of both houses accredited to treat, were lords Northumberland, Salisbury, Pembroke, Middlesex, and Say; Pierrepont, the younger Vane, Hollis (who had returned from France and resumed his seat), Grimstone, Potts, Browne, Crewe, Glyn, Buckley, and lord Wainman. The king, with the consent of parliament, was attended by forty-two individuals, including personal friends and confidential advisers, named by himself. Among these were the duke of Richmond and marquis of Hertford, the earls of Southampton and Lindsay, Juxon, Duppa, Hammond, Sheldon, his chaplains, and Bridgeman, Palmer, Gardiner, and Cooke, his assisting counsel.† He was allowed to choose a place within the island, and named Newport.‡

There were, it may be said, three parties to this treaty,—the presbyterians, the republicans, and the king. The first alone desired its conclusion, and speedily, before the return of Cromwell from the north. The republicans, represented by the younger Vane, interposed delays and obstacles. They were eager for a republic. The king's concessions were imperfect or evasive; he calculated upon escaping §, notwithstanding his royal word given to the parliament,

burnham's Narrative:—“ Being confident of the assistance of one about him, and having discovered (upon tryall) that hee could pass his bodie betwene the barrs of the window of his chamber, because hee found there was roome enough for his head (the rule being that where the head can pass the body may); but most unhappily, hee mistooke the way of measure, for instead of putting forth his head sidewayes, hee did it right forward; by which error, when all things were adjusted for his escape the second time, and that hee thought to put in execution, what hee thought so sure (his passage through the window), hee stuck fast in it, and (as hee was pleased to send mee word) did straine so much in the attempt, as hee was in greate extremity, though with long and painful struglings hee got back againe, without anie certaine notice taken by anie man, but by him who waited to have served him when hee had come downe.”—*Ashb. Nar.* ii. 124.

* *Journ. Lords and Commons*, June 19. and 17. See also *Parl. Hist.* iii. 909, &c.

† See the list in *Peck's Desiderata Curiosa*, ix. 52.

‡ *Orig. and Prog.*, &c.

§ See his letters to sir William Hopkins, cited in *Godwin*, ii. 610.; his letter to Ormond, *Carte's Life*, &c., ii. App., and *Ashburnham's Narrative*.

and Ashburnham hovered on the coast, with the means of flight, expecting him vainly during three months.*

It would be idle to follow this barren mockery of a negotiation, spun out from the 18th of September to the 27th of November. Charles conceded the command of the militia, with the secret reservation to retract it †; but took his stand upon two points, which would place his character in a light the most engaging to his adherents and the world,—the divine institution of bishops, and the extension of the proposed indemnity to all his friends. Hollis and other presbyterian commissioners implored him on their knees, with tears in their eyes, to concede, but to no purpose.‡ He thought only of his escape, his restoration, and doubtless his revenge.

Meanwhile, the storm gathered and began to descend upon his devoted head. The first menace was a petition presented to the house of commons on the 11th of September, professing to be that of many thousands of well-affected men in London, Westminster, Southwark, and the villages adjacent. It contained twenty-two prayers, the spirit of which will be collected from the first and the last:—that parliament should make good the supremacy of the people from all pretence of negative voice by lords or king,—that the innocent blood spilt, and the havoc committed by express commission from the king, should be avenged upon the capital authors and promoters of the war. This was followed by concurring petitions from Oxfordshire, York, Hull, Newcastle, the counties of Somerset and Leicester.

About the middle of October, the army became petitioners. Fairfax addressed a letter to the speaker, stating that petitions for speedy satisfaction were in

* Ashburnham's Narrative, &c.

† Letters to Hopkins, above cited.

‡ The king consulted freely with his privy counsellors, chaplains, and lawyers; but he alone spoke in the discussions, and surprised some of the commissioners by the ability and information with which he argued points of constitutional law and divinity. For a very full account of the debates, see Oudart's Diary, &c., in Peck's Desiderata Curiosa, lib. x.

progress through the army, and with it two petitions from Fleetwood's regiment, one to himself, the other to the house. Ireton's regiment petitioned explicitly that justice should be done upon the authors and abettors of the late war, whether king or lord, as upon the humblest commoner. The regiment of Ingoldsby denounced the king as a traitor, and the treaty with him as designed to enslave the people.*

These movements did not daunt the presbyterians. It would seem as if they augured their own triumph from the fearful avowals of their adversaries. Their ascendant in the house of commons appeared but the more steady and secure. The royalists, hitherto concealed and silent, from a regard to their own safety, and for the purposes of intrigue, became furious at the demands for the blood of the king. It was rumoured that they were banded, and armed, in the capital and other places, with poniards and pistols, to remove the republican leaders by assassination.† This was but an exaggeration of fact; several persons were assailed, and some few assassinated. Among the latter was colonel Rainsborough, a fearless soldier, and uncompromising republican. Three ruffians, pretending to have a letter from Cromwell, entered his quarters at Doncaster, stabbed him to death, escaped, and are applauded for their gallantry by Clarendon.‡ They belonged to a party of forty horse, which sallied out of the royalist garrison of Pomfret castle.§

The army, which hitherto petitioned by regiments, now acted in a body. The council of officers assembled at the head quarters, in St. Alban's, on the 8th of November, and, after a week's sittings, produced a remonstrance to the house. It repeated many of the topics set forth in the "Declaration," dated from the same place, and the "Agreement of the People,"

* May, Origin and Progress, &c. Whitelock, Mem., Oct. 1648. Rush. vii. 1265, 1297, 1298. Com. Journ., Oct. 1648.

† Rush. vii. 1279. Whit. Mem.

‡ This is not the only instance in which he exults in assassination.

§ Rush. ut supra.

advised the immediate breaking up of the treaty, and called for justice on the king, as “the capital source of all grievances.”* This remonstrance, together with a letter from Fairfax, introducing and avowing his full share and sanction, was presented at the bar of the house of commons by colonel Ewer, at the head of a deputation of officers.

The next step of the army was to seize once more the person of the king. By this time the commissioners had left the island to make their report to both houses.† The project of the army was made known to Hammond. That officer declared his fidelity to the parliament, in spite of the persuasions of Ireton and Cromwell‡, was recalled to the head quarters by Fairfax, and succeeded by colonel Ewer, the bearer of the remonstrance. Ewer, with no authority but an escort of horse, removed the king from the Isle of Wight to the securer confinement of Hurst Castle, on the opposite main land.

The house of commons attempted to parry the remonstrance by successive adjournments.§ It was, in consequence, soon followed by a more explicit declaration — in short, an avowal of the purpose of the army to purge the house, and put a stop to the treaty. The presbyterians met this remonstrance and the menaced approach of the army with more resolution than they had generally shown.

On the 1st of December, the commissioners from

* Rush. vii. 1331, 1332. Parl. Hist. iii.

† There is, in Royston’s edition of *The Works of King Charles*, a speech professing to be the king’s farewell to the commissioners, so full of angelic piety, and so prophetic of the future, as to leave no doubt of its being one of the many pious forgeries of the period.

‡ See their letters to him, already cited in Lord Ashburnham’s *Vindication*, &c.

§ Some, according to Whitelock (*Mem.*, Dec. 1648), inveighed against its insolence, others justified it, and others again were prudently silent. Another writer of the day (Marchmont Needham, in his *Mercurius Pragmaticus*) records, that the independents, especially Scot, Holland, and Wentworth (sir Peter), lauded it highly, and moved a vote of thanks to the army, that Prynne denounced it as subversive of the law of the land, and could produce nothing but confusion; that Maynard “argued as if he had taken fees on both sides; one while magnifying the gallant deeds of the army, then firking them for their remonstrance.” The first adjournment was carried, on a division, by 125 to 53. Com. Journ., Nov 27. 1678.

the Isle of Wight reported the king's answers to the demands of the parliament. Their organ was the acknowledged leader of the presbyterians, Hollis, who moved that the answer should be declared satisfactory. Nathaniel Fiennes, hitherto deemed an independent, supported the motion*, and was replied to by colonel Harvey. The further consideration was adjourned to the next day by a majority of 133 to 102.†

The resolution, being resumed accordingly, was opposed by the younger Vane, who frankly put the question as between monarchy and a republic:—"We shall," said he, "now know who are our friends and who are our enemies, who are for the king and who for the people." The country, he continued, after "the vote of no more addresses," began already to enjoy the peace and order of republican government. Some contemptible insurrections in England, a combination between the ill-affected in London and Scotland, noise and clamour, had brought the house to annul its votes and enter upon a personal treaty. The insurgents were suppressed; the Scots army was routed; a treaty had been carried on for three months, and the result was, that the king's answers reserved to himself or to his posterity the power of being as tyrannical as before. He moved that, without further loss of time, the house should return to its former vote of making no more addresses to the king. Another member, whose name is not recorded, replied that he would rather divide the house between those who profited and those who did not profit by the war, those who had gained and those

* The part acted by Fiennes has been regarded as extraordinary, and unaccounted for (see Godwin, Hist. of the Com., and Lingard, Hist. of Eng.). It is very clearly explained by the following passage in Clarendon:—

"The lord *Say* [father of Fiennes] (who was as proud of his quality and of being distinguished from other men by his title, as any man alive) well foresaw what would become of his peerage if the treaty proved ineffectual, and the army should make their own model of the government they would submit to (as undoubtedly they resolved shortly to do), and therefore he did all he could to work upon the king to yield to what was proposed, and, afterwards, upon the parliament, to be content with what his majesty had yielded."—Clarendon, v. 183.

His son naturally took the same course.

† Com. Journ., Dec. 1. 1647.

who had lost, and proposed that the gainers should contribute to the losers, so that the balance of the commonwealth might thus stand right towards a settlement.*

Wroth, Wentworth, and Prideaux concurred with Vane. It was urged on the other side by Prynne that the parliament was overawed by the army, and the question should be postponed. Another adjournment took place, and the debate was resumed next morning with increased vehemence. Six monarchists and twelve republicans are named as having spoken.† Sir Henry Mildmay said, "the king was no more to be trusted than a caged lion set at liberty." The presbyterians, not venturing to persist in a vote that the king's answers were satisfactory, modified it into a resolution that they afforded "a ground for the house to proceed to the settlement of the peace of the kingdom." Prynne delivered a speech of several hours in the affirmative, with, by his own account, wonderful effect.‡ It was carried, on a division, by a majority of 140 to 104.§ The lords readily concurred.

The army, meanwhile, advanced from Windsor upon London, in pursuance of its declaration to purge the house of commons. In pronouncing upon this violent proceeding, the following, among other circumstances, should never be lost sight of. The house of commons

* Walker, in his History of Independence, describes this as a biting jest upon the two Vanes, who derived large incomes from their malversations and "private cheats" in the management of the revenue. But a charge made upon a republican and independent, by a bitter and unscrupulous presbyterian partisan, merits little consideration.

† Parl. Hist. iii. 1151.

‡ Ibid. 1152, &c., reprinted from his own edition, with notes. He spoke it, he says, with such "pathetic seriousness," that he made many converts, and "the majority expressed their satisfaction by their cheerful countenances." Cheerfulness, however, is the last effect that would be expected from the speech. Another proof of his success, also stated by him, is at least equivocal. "The speaker," he says in a parenthesis, "went into the withdrawing-room to refresh himself as soon as the speech was ended." It might pass for a melancholy jest upon human nature (*flebile ludibrium*), that this fanatic presbyterian, who clamoured so vehemently and justly against the persecution for nonconformity which he suffered from Laud and the Star-chamber, would now as rigorously enforce upon the various sects of independents conformity to presbyterianism and the covenant.

§ Prynne states, that in the course of the day there was present above 340 members; but that many, from age and infirmity, were unequal to the fatigue of sitting through the night till nine next morning.

was indissoluble without its own consent, and irresponsible to any power. A monarchist majority voted the king's answers sufficient grounds for a peaceful settlement. A republican minority looked upon them as the forerunners of perfidious tyranny, religious and civil, or a third civil war, and saw no security for the peace and freedom of the people but in a free commonwealth. The army, concurring with the minority, threw in its sword, and turned the balance. Further, this forcible procedure was adopted, not against a particular order of a settled state, but whilst the whole state was in process of revolution.

But had they the right to abolish monarchy and construct a republican government? This is a settled question since the revolution of 1688. The forfeiture of the throne for himself and his posterity by Charles is immeasurably more direct and palpable than the constructive and compulsory forfeiture by his son. As to the form, they who made a stadholder of Holland king of England had assuredly the same right, if they were capable of the design, to restore that commonwealth, which was raised by English virtue and victory, without Dutch mercenaries or infamous desertions.

These remarks must not be understood to embrace another and wholly distinct question — the trial and execution of the king. Charles forfeited his throne, but not his life.

The epuration of the house of commons was concerted before the division last cited. Next morning, the city guard was withdrawn from Westminster by its commander Skippon, and the posts were occupied by three regiments under the command of sir Hardress Waller, colonel Hewson, and colonel Pride. The last-mentioned officer, from whom this memorable proceeding has been named "Pride's Purge," stood at the door of the house of commons, as the members were entering, with a list in his hand, and arrested 41 members, with the assistance of the door-keeper and lord Grey of Groby in identifying their persons. Main force became necessary to arrest and carry

off the indomitable Prynne.* Pride continued to weed or purify the house in this manner during three days, at the end of which, there were 47 members imprisoned and 95 secluded†; in all 143, of whom 16 were soon after restored unconditionally. Others absented themselves from fear or prudence.‡

The house, or that fraction of it which remained, demanded from Fairfax the liberty of its members with some show of dignity. He replied that no answer could be given until the decision of the house should be known upon proposals which were that day submitted by the army. These were, that the 11 members originally secluded, the minority against declaring the Scotch invaders public enemies, and the majority in favour of the king's answer, should be deprived of their seats.

Hollis took an early opportunity of flight; Brown, sheriff of London, Massey, sir William Waller, and sir John Clotworthy were imprisoned as traitors, who had invited and aided the Scots. The votes which had provoked this action — viz., for readmitting the 11 members, for reopening communications with the king, and for declaring his answers satisfactory grounds for treating — were severally rescinded, and Hugh Peters preached in St. Margaret's church, in Westminster, on the text, "So bind their kings in chains," &c., to four earls, twenty commoners, and the prince palatine, nephew of the king. §

It was one of the "proposals" of the army to the house, that justice should be done upon delinquents. The discussion of this matter, on the 23d, led to a direct measure against the life of the king. He was

* He has left an account of this affair in the appendix to his speech before cited.

† Parl. Hist. iii. 1248., extracted from accounts published by themselves.

‡ Supposing with Prynne (see note, ante), that there were 340 members present on the 4th, the epuration would leave 213, but the succeeding divisions, at the highest, vary between 80 and 90. The imprisoned and secluded members issued a vehement protest, which was declared false and scandalous by the residue of the house, so well known by the title of "The Rump."

§ Com. Journ., Dec. 22. Parl. Hist. iii. 1252.

mentioned by name as the capital delinquent*, and a committee of 38 appointed to prepare charges against him.†

Cromwell arrived from the north on the second day of the epuration of the house of commons, received the thanks of the house in his place on the motion of Henry Marten, took a prominent share with Fairfax in the counsels of the army, and was present at the carrying of the above vote. The contemporary author, already cited‡, who, however, being one of the imprisoned members, could not have been in the house, states that, upon the suggestion of proceeding capitally against the king, Cromwell stood up and said, “If any man moved this upon design, he should think him the greatest traitor in the world; but since Providence and necessity had cast them upon it, he should pray God to bless their counsels, though he was not provided on the sudden to give them advice.”

The genuineness of this speech, even thus far, is questionable upon the single and suspicious evidence of an enemy who was not present, and there appears not the slightest ground for admitting what follows in Hume, who seems to have adopted it, and very loosely, from one of the most discredited historians of Charles I. § “Even I myself, when I was lately offering up petitions for his majesty’s restoration, felt my tongue cleave to the roof of my mouth, and considered the preternatural movement as the answer which Heaven, having rejected the king, had sent to my supplication.”

Charles, meanwhile, was advanced a stage nearer to his doom. Colonel Harrison, the most grossly defamed in his birth, education, and personal character of

* Whit. Mem., Dec. 1648.

† Com. Journ., Dec. 23, 1648. Among the members of this committee were Widdrington and Whitelock (keepers of the seal), lords Lisle, Grey (of Groby), and Monson; Lisle (John), Skippon, Scot, Chaloner, Marten, sir Henry Mildmay, &c. Whitelock and Widdrington went out of town to avoid attending. The former says, in his Memorials (Dec. 1648), that “several members endeavoured to throw this business wholly on their army, who were subtle enough to throw it back on their states, whom they had left sitting for the purpose.”

‡ Walker, Hist. of Indep.

§ Perenchief.

all the chiefs of the army and founders of the commonwealth, lodged the king in Windsor Castle on the very day of this debate. He arrived at Hurst Castle in the night, and would not then disclose his commission. The sensation created in the Castle reached the king, who sent Herbert to inquire the cause. Charles received his report with so much emotion that he burst into tears, in anticipation of the worst. "This," said the king, "is the man who undertook to assassinate me — what better place than this?" Next morning an officer, gallantly mounted and equipped, and of pleasing countenance, gave him the military salute at the head of his troop. Charles returned it, asked Herbert who the officer was, learned that it was colonel Harrison, fixed his eyes upon him, and, after a moment's scrutiny, said that, having some skill in faces, he could not judge of him so ill, but yet a countenance might deceive.* The unfortunate Charles, to do him justice, was superior to that meanest infirmity of a tyrant prince—suspicious fear.

Free access to the king was allowed on his way, and crowds of the country people approached him with mournful respect. At Farnham, where he halted for the night, his supper-room was crowded. Observing Harrison talking with another officer at a distance in the crowd, he beckoned him to approach, and was approached by him with all the forms of royal ceremonial. Charles led him by the arm to the embrasure of a window, conversed privately with him above half an hour, and mentioned his having been warned against him as one who had offered to be his assassin. Harrison assured him that the report was groundless; but made an avowal which should have left a feeling of deeper terror in the heart of the king — that he might have said the law was equally binding upon all, — justice had no respect of persons.

Charles dined and slept at lord Newburgh's† house,

* Herbert's Memoirs, where this passage of the king's life is minutely recorded.

† The king was attended by his carriage, but rode on horseback. Clarendon states that a plan was formed for the king's escape by laming his

near Bagshot, on the 22d. He arrived at Windsor next evening.

He was attended at Carisbrook and Hurst castles, and at Windsor Castle, up to the 28th, with the accustomed forms of respect. An order of the council of war on that day directed that he should no longer be served by cup-bearer or carver on bended knee, and that the other ceremonials of regal state be discontinued. These were but the visible signs of the doom which was approaching him by rapid strides. On the 28th, an ordinance for the king's trial was brought into the house of commons. The committee of thirty-eight, having sat and examined witnesses, reported, on the 1st of January, a charge, beginning with this terrible preamble, against the king: —

1649. "That the said *Charles Stuart*, being admitted king of England, and therein trusted with a limited power to govern by and according to the laws of the land, and not otherwise; and, by his trust, oath, and office, being obliged to use the power committed to him for the good and benefit of the people, and for the preservation of their rights and liberties; yet, nevertheless, out of a wicked design to erect and uphold in himself an unlimited and tyrannical power, to rule according to his will, and to overthrow the rights and liberties of the people; yea, to take away and make void the foundations thereof, and of all redress and remedy of mis-government, which, by the fundamental constitutions of this kingdom, were reserved, on the people's behalf, in the right and power of frequent and successive parliaments, or national meetings in council: He, the said *Charles Stuart*, for accomplishing of such his designs,

horse, and having the fleetest of lord Newburgh's stud ready to carry him off through Windsor forest, but that it was defeated by the vigilance of Harrison. The laming of the king's horse, and the suspicion of his designs, which caused extraordinary precautions, are mentioned by Rushworth (vii. 1375.). The mayor and corporation of Winchester presented him an address and their mace with the accustomed ceremony on his passage through that town, but were in the greatest consternation upon learning from Harrison that they had unwittingly incurred the pains and penalties of treason by the late ordinance. *Ibid.*

and for the protecting of himself and his adherents in his and their wicked practices, to the same ends hath traitorously and maliciously levied war against the present parliament, and the people therein represented."*

Various overt acts, including the battles of Edgehill, Newbury, and Naseby, are then recited. The ordinance and the charge voted by the commons were sent up on the 2d to the Lords, and rejected unanimously. That house at the same time adjourned for a week. † The adjournment, under the circumstances, was equivalent to an abdication, and seems to have been accepted as such by the commons. That house re-asserted, by a fresh vote, the ordinance and the charge, and passed at the same time, with closed doors, the momentous resolution —

"That the commons of England, in parliament assembled, do declare, That the people are, under God, the original of all just power. And do also declare, That the commons of England, in parliament assembled, being chosen by representing the people, have the supreme power in this nation. And do also declare, That whatsoever is enacted or declared for law by the commons in parliament assembled, hath the force of a law; and all the people of this nation are concluded thereby, although the consent and concurrence of king or house of peers be not had thereunto."‡

On the 6th, the ordinance for creating a high court of justice was read a third time and passed into an act, and the commissioners named therein ordered to meet at two in the afternoon in the painted chamber. The ordinance originally created 150 commissioners, with the two chief justices and chief baron, Rolle, St. John, and Wild, and six peers, Kent, Pembroke, Nottingham, Derby, Mulgrave, and Grey of Wark, at their head.

* Rushworth, vii. 1396, 1397.

† There were present twelve peers, which was a large attendance for the time.

‡ Elsyng now resigned the clerkship of the house, and was succeeded by Scobell.

Upon the second voting of the ordinance, the judges and peers were omitted, and two serjeants at law, Nicholas and Bradshaw, added to the list.* Fifty-three attended on the 8th in the painted chamber, conformably to the vote.† Fairfax, who had hitherto acted

* The following are the names in the ordinance, as it finally passed :— Thomas lord Fairfax ; Oliver Cromwell, Henry Ireton, esquires ; sir Hardress Waller, knight ; Philip Skippon, Valentine Wanton, Thomas Harrison, Edward Whaley, Thomas Pride, Isaac Ewer, Richard Ingoldby, Henry Mildmay, esquires ; sir Thomas Honeywood ; Thomas lord Grey of Grooby, Philip lord Lisle, William lord Mounson ; sir John Danvers, sir Thomas Maleverer, baronet, sir John Bourchier, sir James Harrington, sir William Allanson, sir Henry Mildmay, sir Thomas Wroth, knights ; sir William Masham, sir John Barrington, sir William Brereton, baronets ; Robert Wallop, William Heveningham, esquires ; Isaac Tannington, Thomas Atkin, Rowland Wilson, alderman of the city of London ; sir Tiler Wentworth, knight of the Bath ; Henry Martin, William Purefoy, Godfrey Bosvile, John Trenchard, Herbert Morley, John Berkstead, Matthew Tomlinson, John Blackstone, Gilbert Millington, esquires ; sir William Constable, baronet ; Edmund Ludlow, John Lambert, John Hutchinson, esquires ; sir Arthur Hazlerig, sir Michael Livesey, baronets ; Richard Salwey, Humphrey Salwey, Robert Titchbourn, Owen Roe, Robert Manwaring, Robert Lilbourn, Adrian Scroop, Richard Dean, John Okey, Robert Overton, John Huson, John Desborough, William Goff, Robert Duckenfield, Cornelius Holland, John Carey, esquires ; sir William Armyn, baronet, John Jones, esquire, Miles Corbet, Francis Allen, Thomas Lister, Benjamin Weston, Peregrine Pelham, John Gourdon, esquires ; Francis Thorp, sergeant at law ; John Nutt, Thomas Challoner, Algernon Sidney, John Anlaby, John More, Richard Darley, William Say, John Aldred, John Fagg, James Nelthrop, esquires ; sir William Roberts, knight ; Francis Lassels, Alexander Rigby, Henry Smith, Edmond Wild, James Challoner, Josias Berners, Dennis Bond, Humphry Edwards, Gregory Clement, John Fry, Thomas Wogan, esquires ; sir Gregory Norton, baronet, John Bradshaw, sergeant-at-law ; Edmond Harvey, John Dove, John Ven, esquires ; John Fawkes, alderman of the city of London ; Thomas Scot, esquire ; Thomas Andrews, alderman of the city of London ; William Cawley, Abram Burrell, Anthony Staply, Roger Gratwick, John Downs, Thomas Horton, Thomas Hammond, George Fenwick, esquires ; Robert Nicholas, sergeant-at-law ; Robert Reynolds, John Lisle, Nicholas Love, Vincent Totter, esquires ; sir Gilbert Pickering, baronet ; John Weaver, Roger Hill, John Lenthall, esquires ; sir Edward Bainton, John Corbet, Thomas Blunt, Thomas Boon, Augustine Garland, Augustine Skinner, John Dixwell, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Daniel Blagrave, esquires ; sir Peter Temple, knight and baronet ; Thomas Wayte, John Brown, John Lowrey, esquires.— *State Trials*, vol. iv. p. 1050.

† These were

Thomas lord Fairfax,
Oliver Cromwell, esquire,
Henry Ireton, esquire,
Sir Hardress Waller,
Valentine Wanton,
Edward Whaley,
Thomas Pride,
Isaac Ewers,
Sir Greg. Norton, baronet,
Peter Temple, esquire,
John Ven, esquire,
Thomas Challoner, esquire,
Henry Martin, esquire,
John Berkstead, esquire,

John Jones, esquire,
John Alured, esquire,
Henry Smith, esquire,
John Lisle, esquire,
James Temple, esquire,
Adrian Scroope, esquire,
Edmund Ludlow, esquire,
John Huson, esquire,
Tho. Harrison, esquire,
Nicholas Love, esquire,
T. lord Grey of Grooby,
Sir John Danvers,
Sir Th. Maleverer, baronet,
Sir John Bourchier,

implicitly with the army and the republicans, was one of the commissioners, and is at the head of the list of those who attended this day. He thenceforth absented himself, at the suggestion of his wife, and doubtless of his own humanity.*

The king is said to have shown more cheerfulness than usual all this time, at Windsor. He made a jest of the preparations for bringing him to trial, still trusted to his projects of escape and intrigue for his safety and restoration †, and most likely trusted also that “There’s a divinity doth hedge a king.” ‡ All his hopes soon vanished. On the 19th of January he was removed from Windsor to St. James’s, in order to be put next day on his trial for his life, before the high court of justice, in Westminster Hall:—and now was acted a scene, the like of which, for tragic grandeur and pathos, was never before acted on the stage of a great kingdom. Fiction has been employed, and was not necessary, to excite the world’s pity and admiration of the sufferer, who may indeed, be called the hero of the scene,—and defamation has not been able to debase that famous judgment. §

Gillb. Millington, esquire,
Richard Deane, esquire,
Corn. Holland, esquire,
John Fry, esquire,
Augus. Garland, esquire,
Daniel Blagrave, esquire,
Rt. Tichbourne, esquire,
W. Heveningham, esquire,
William Purefoy, esquire,
John Blackistone, esquire,
Wm. lord Monnson,
John Okey, esquire,
John Carew, esquire,

Sir Henry Mildmay,
James Challoner, esquire,
Greg. Clement, esquire,
Peregrine Pelham, esquire,
Francis Lassels, esquire,
John Downes, esquire,
John Brown, esquire,
John Hutchinson, esquire,
Miles Corbet, esquire,
Humph. Edwards, esquire,
Edm. Harvey, esquire,
William Goff, esquire,

* This dereliction, and his share in the restoration, have redeemed him in the eyes of the royalists of that and every succeeding generation. He is called “noble,” on this occasion, by Hume. The excuse made for him by royalists is, that Cromwell and Ireton led him by the nose — by himself, in his short memorials, “that his name was used by the council of officers, without his authority. Either would stultify him — which is absurd: both, therefore, are false. Mr. Brodie suggests that a justification so weak and shameless as the latter must have been interpolated, of which for the credit of Fairfax it would be gratifying to have some proof.

† Jour. of the earl of Leicester, Whit. Mem. Jan. 1649.

‡ It is somewhat curious that Shakspeare puts this court maxim into the mouth of a king guilty of incest, murder, and usurpation, with whose character moreover he deals very freely.

§ Inelytum Judicium — Milton. Defen. pro Pop. Ang.

On Saturday morning, the 20th of January, Charles was escorted by colonel Harrison from St. James's to Westminster. Colonel Tomlinson, who took charge of him, with colonel Hacker and thirty-two officers, carrying their partisans, conducted him to the bar. A chair was set for him, by order of the court. There were present sixty-eight commissioners, constituting the high court of justice. Bradshaw, chief justice of Chester, a man of eminent talents, unstained life, fearless temper, and inflexible republicanism *, sat as president of this memorable tribunal ; Steele and Coke acted as attorney and solicitor. Aske and Dorislaus, the latter a doctor of law, were charged with the prosecution. The first absented himself, and the business devolved on the second.

Charles took his chair, looked round without moving

* The following is the noble character given of him by Milton, his kinsman and friend, in his "*Defensio secunda pro Populo Anglicano*," p. 722, 723.

"Est Joannes Bradscianus, (quod nomen libertas ipsa, quacunque gentium colitur, memoriae sempiternae celebrandum commendavit,) nobili familia, ut satis notum est, ortus ; unde patriis legibus addiscendis, primam omnem aetatem sedulo impedit ; dein consultissimus causarum ac disertissimus patronus, libertatis et populi vindex acerrimus, et magnis reipublicae negotiis est adhibitus, et incorrupti judicis munere aliquoties perfunctus. Tandem uti regis judicio praesidere vellet, a senatu rogatus, provinciam sane periculosisimam non recusavit. Attulerat enim ad legum scientiam ingenium liberale, animum excelsum, mores integros ac nemini obnoxios ; unde illud munus omni prope exemplo majus ac formidabilius, tot sicariorum pugionibus ac minis petitus, ita constanter, ita graviter, tanta animi cum praesentia ac dignitate gessit atque implevit, ut ad hoc ipsum opus, quod jam olim Deus edendum in hoc populo mirabili providentia decreverat, ab ipso numine designatus atque factus videretur, et tyrannicidarum omnium gloriam tantum superaverit, quanto est humanius, quanto justius, ac majestate plenius, tyrannum judicare, quam in judicatum occidere. Alioqui nec tristis, nec severus, sed comis ac placidus, personam tamen quam suscepit tantam, aequalis ubique sibi, ac veluti consul non unius anni, pari gravitate sustinet : ut non de tribunali tantum, sed per omnem vitam judicare regem dices. In consiliis ac laboribus publicis maxime omnium indefessus, multisque par umus ; domi, si quis alias, pro suis facultatibus hospitalis ac splendidus, amicus longe fidelissimus, atque in omni fortunâ certissimus, bene merentes quoscumque nemo citius aut libentius agnoscat, neque majore benevolentia prosequitur ; nunc pios, nunc doctos, aut quavis ingenii laude cognitos, nunc militares etiam et fortes viros ad inopiam redactos suis opibus sublevat ; iis si non indigent, colit tamen libens atque amplectitur ; alienas laudes perpetuâ prædicare, suas tacere, solitus ; hostium quoque civilium, si quis ad sanitatem rediit, quod experti sunt plurimi, nemo ignoscet. Quod si causa oppressi cuiuspam defendenda palam, si gratia aut vis potentiorum oppugnanda, si in quenquam bene meritum, ingratitudine publica objurganda sit, tum quidem in illo viro, vel facundiam vel constantiam nemo desideret, non patronum, non amicum, vel idoneum magis et intrepidum, vel disertiore alium quisquam sibi aptet ; habet, quem non minæ dimovere recto, non metus aut munera proposito bono atque officio, vultusque ac mentis firmissimo statu dejicere valeant."

his hat, and, with a severe countenance upon the auditory,—with frowning intimidation upon his judges. They remained unabashed, and followed his example in not saluting or uncovering to him.

The trial opened with calling over the names of the commissioners. The first on the list was Fairfax. A voice from the spectator's gallery replied, "He had more wit than to be there." The president then informed the king of the constitution and purpose of the court, and the capital charge brought against him by the commons, in the name of the people of England. The same voice interrupted him with the words, "No, not half the people." The person who thus disturbed the court, proved on examination to be lady Fairfax.*

The charge of high treason and other high crimes against Charles Stuart, king of England, were presented by Coke, in writing, and read by the clerk. Charles is said to have smiled at the words "tyrant and traitor." A trivial incident changed the current of his thoughts, and gave him a more awful sense of his situation. In touching Coke gently on the shoulder with his cane, and bidding him "hold," its gold head dropped off; and he, who was accustomed to be served with eager anticipation and slavish genuflexion, was left to take it up himself. This omen is said to have waked his superstition. It was no less calculated to affect him through his reason.

The preliminaries having been thus gone through, the president demanded the answer of the king. Charles protested against the constitution and jurisdiction of the court. It is obvious, from the various and clashing accounts, between exaggeration on the one side, and injustice on the other, that he spoke with unshaken

* It is not certain, and perhaps not material, on what day, or in what stage of the trial these interruptions were given, and whether she said a half, a fourth, or, according to Kennet, "a hundredth part of the people of England." The bishop further writes, "upon which one of the officers bid the soldiers give fire into that box, from whence these presumptuous words were uttered. But it was presently found that it was the general's wife, the lady Fairfax." The latter assertion is unsupported, and doubtless a falsehood.

firmness and dignity of manner, and methodical clearness of expression, whilst he urged the violence with which he was brought away when treating with both houses in the Isle of Wight,—the succeeding violences upon his liberty, with no better authority than that of robbers on the highway,—the absence of a house of lords,—the essential impossibility of a parliament without a king,—his willingness to answer before any lawful authority,—his resolution meanwhile not to betray his trust committed to him by God, and by old and lawful descent. “Resolve me that,” said he, “and you shall hear more of me.” Bradshaw overruled the objection to the competency of the court, and directed the counsel to proceed. The remainder of the first and the whole of the next two days were consumed in desultory debate between the president and the king. Charles, in a situation so awful and so strange, combated the arguments and the power of the president with ability and temper. Evidence in support of the charge was heard on the fourth and fifth days. On the sixth, the commissioners voted and prepared the sentence, which was to be pronounced next day.

On the 27th of January, the court sat for the seventh and last time. The king, on his way to Westminster, was received by some of the people with the cry of “God save the king!” by some, both of the populace and the soldiers, with that of “Justice, justice, execution!”* This cry has been ascribed to the notion of the soldiery and the populace, that his trial was protracted in order to screen him from punishment. But, admitting the motive, the expression was still inhuman. Charles is said to have remarked that “it was suggested by their officers, for whom the soldiers, were there an occasion, would do as much.”

Upon being placed at the bar, he declared that he had somewhat to propose, which nearly concerned the peace

* Other and more brutal outrages—such as the soldiers puffing the smoke of their tobacco in his face, and one soldier’s spitting upon him, have been repeated and reiterated in print, and are yet gross fabrications. (See Brodie, iv. 199. note).

and freedom of the country, and requested of the court, that, before sentence was pronounced, his proposition might be heard by both houses. The court deliberated for half an hour, and refused his request. It is supposed that he purposed resigning the crown in favour of the prince of Wales. The grounds upon which the commissioners refused his request can only be conjectured, and therefore cannot be fairly pronounced on.

Bradshaw now pronounced the terrible sentence. "What sentence," said he, "the law affirms to a tyrant, traitor, and public enemy, that sentence you are now to hear read unto you, and that is the sentence of the court." The clerk then read it at large from a scroll of vellum. After reciting the appointment and purpose of the high court, the refusal of the king to acknowledge it, and the charges proved upon him, it concluded thus: "for all which treasons and crimes, this court doth adjudge that he the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy, shall be put to death by severing his head from his body." Bradshaw then rose and said, "The sentence now read and published is the act, sentence, judgment, and resolution of the whole court;" upon which, all the commissioners stood up by way of declaring their assent.

The unhappy prince attempted to make himself heard by the court once more; he was told it was then too late, sentence having been passed, and retired in the custody of the sergeant-at-arms. It is said that, on his passage through the galleries, he was received with a repetition of the same outrages and benedictions as on his way to the court. But it has been before observed, that many of the recorded particulars of this melancholy day are forged or exaggerated.*

Pending these proceedings, some efforts were made in vain to save the king—by the Scotch commissioners,

* The account in Ruhworth (vol. vii.) coincides in some instances, even to words and phrases, with Saunderson, Pernchief, &c.; but it is chiefly in a duplicate passage, professing to be "a more full account of the proceedings on the 27th;" and Mr. Godwin suggests, with great appearance of reason, that those parts of Rushworth's papers published after his death were tampered with.

to whose protesting letter the parliament gave no direct reply,— by the queen, who requested to be allowed to come over and attend him, and whose letter was laid aside by the house unread,— by two ambassadors of the states-general of the united provinces, who read, in French, a letter of intercession for the king's life, in successive audiences of the two houses. The lords answered evasively; the commons declared that execution could not be stayed upon the king.

Charles, it has been observed, went through the ordeal of his second day's trial with courage, temper, and ability. He prepared himself to die, and met death in such a manner, as to prove, in a new and affecting light, his piety and his character. He was attended, during his trial and after his sentence, at St. James's, by his favourite chaplain doctor Juxon, and he obtained this consolation through the medium of Hugh Peters.* Several nonconformist ministers, among whom were Calamy, Dell, and the independent Goodwin, offered to pray with him. He declined their attendance, being he said provided and satisfied with doctor Juxon, but thanked them, and requested their prayers.

What a contrast to the treatment of his grandmother, the unfortunate queen of Scots,— by Burleigh and Walsingham, whose cruel bigotry, or policy, if possible, more inhuman, deprived her of an auxiliary so consoling to human infirmity in the agony of the last moments, religious communion,— by Fletcher, dean of Peterborough, who outraged her feelings, and assailed her fortitude with all the terrors which the imagination of a bigot could supply to the hatred of a theologian. But Burleigh and Walsingham are canonised politicians, Fletcher was an orthodox divine— censure must not approach them — whilst Cromwell, Ireton, Harrison, and Peters, are to be named only with reprobation and reviling!

Sunday the 28th was passed by the king with doctor Juxon, in exercises of devotion. That virtuous prelate

* Whitelock, Jan. 1649, p. 370.

preached before him at St. James's on the text, "In the day when God shall judge the secrets of all men according to my gospel."

Next day he declined the proffered and permitted visits of the duke of Richmond, the marquis of Hertford, the earls of Southampton and Lindsay, and his unworthy nephew the prince palatine. His motive was, most probably, to reserve all his fortitude for the last meeting and parting with his children, the princess Elizabeth and duke of Gloucester, the one thirteen, the other nine years old, and who were brought to him from Sion House. He placed them on his knees, kissed them, blessed them, gave them his paternal advice, received from them such pretty and pertinent answers as brought tears of love and sorrow into his eyes*, and dismissed them with two diamond seals, as tokens of remembrance. † A letter from the prince of Wales was conveyed to him the same day, which he immediately burned. ‡

Meanwhile the warrant for his execution, called "the bloody warrant," was signed by the fifty-nine commissioners, whose names are so well known, and many of which are memorable. It was addressed to colonels Hacker, Huncks, and Phray, and ordered execution of the king's sentence at Whitehall, on the 30th of January, being the following day. §

* Herbert, Mem.

† Rush. vii. 1428. There is no sufficient authority for the supposed dialogue between Charles and his children in this affecting situation.

‡ Id. Ibid.

§ The warrant was as follows:—

"Whereas Charles Stuart, king of England, is and standeth convicted, attainted, and condemned of high treason and other high crimes; and sentence upon Saturday last was pronounced against him by this court, to be put to death by the severing of his head from his body; of which sentence execution yet remaineth to be done. These are, therefore, to will and require you to see the said sentence executed in the open street, before Whitehall, upon the morrow, being the 30th day of this instant month of January, between the hours of ten in the morning and five in the afternoon of the same day, with full effect. And for so doing this shall be your sufficient warrant. And these are to require all officers, soldiers, and others, the good people of this nation of England, to be assisting unto you in this service.

"To col. Francis Hacker,
col. Huncks, and
lieut.-col. Phray;
and to every of them.

" Given under our hands and seals.

The king slept some hours on Monday night, awoke on Tuesday morning at break of day, saw, by a wax light which burned in the room, his attendant Herbert, who lay on a pallet, disturbed in his sleep, and, on his awaking, desired to know his dream. Herbert told it, and the king, observing that it was remarkable, said, “Herbert, this is my second marriage-day, I would be as trim to-day as may be.” He then asked for a second shirt. “The season,” said he, “is so cold that I may shake, and it may be mistaken for fear. Death is not terrible to me. I bless my God I am prepared.”

He was soon attended by Juxon. The fatal hour came, and Hacker knocked gently at the door. Herbert could not move to the door, until commanded by the king. The officer entered, and told the king, with a trembling voice, it was time to go to Whitehall, where he should have a short time to rest. At ten o’clock he proceeded on foot, from St. James’s through the park, between two lines of infantry, and a guard of halberdiers following and going before with drums beating and colours flying. Many of the crowd blessed and prayed for him as he passed, unrebuked by the soldiers, who appeared silent and dejected.

Having rested for some time, and taken a slight refreshment of bread and wine, he was led through the banqueting room, by a temporary opening made in the wall, to a scaffold, covered over with black, and the block and axe placed in the middle. He looked earnestly at the block, asked colonel Hacker “if there

(Sealed and subscribed by)

“John Bradshaw, Thomas Grey, Oliver Cromwell, Edward Whaley, Michael Livesey, John Okey, John Danvers, John Bourcher, Henry Ireton, Thomas Maleverer, John Blackiston, John Hutchinson, William Goffe, Thomas Pride, Peter Temple, Thomas Harrison, John Huson, Henry Smith, Peregrine Pelham, Simon Mayne, Thomas Horton, John Jones, John More, Hardress Waller, Gilbert Millington, George Fleetwood, John Alured, Robert Lilburn, William Say, Anthony Stapeley, Richard Deane, Robert Tichburne, Humphrey Edwards, Daniel Blagrave, Owen Roe, William Purefoy, Adrian Scroope, James Temple, Augustine Garland, Edmond Ludlow, Henry Martin, Vincent Potter, William Constable, Richard Ingoldsby, William Cawley, John Barstead, Isaac Ewers, John Dixwell, Valentine Walton, Gregory Norton, Thomas Chaloner, Thomas Wogan, John Ven, Gregory Clement, John Downs, Thomas Wayte, Thomas Scot, John Carew, Miles Corbet.”—*Rush. vii. 1426.*

were no higher," and then addressed himself to those immediately around him on the scaffold. His speech was professedly unprepared, and is not remarkable, but manifests a collected and fearless state of mind. He appealed to all the world that the war was not begun by him, — forgave all, even those who brought him to the block, and prayed they might repent,—alluded to his having permitted an iniquitous sentence, which was then visited upon him in his own, — declared the kingdom could not be happy till the king (his son) had his due, that the people's right was only to have their life and goods their own, "a share in the government being nothing pertaining to them,"— that he died the martyr of the people. On the suggestion of Juxon, that he had said nothing of his religious faith, he declared himself an honest man and true Christian in the faith of the church of England. Turning to colonel Hacker, he said "Take care they do not put me to pain." A gentleman inadvertently came close to the axe. The king, interrupting what he addressed to Hacker, warned him of his danger:—"Take heed of the axe, pray take heed of the axe." The executioner stood by. "I shall pray," said the king to him, "and then stretch out my hands." This was to be the signal. Having put on a cap which he received from Juxon, he asked the executioner, "Does my hair trouble you?" and put it up under his cap with the aid of Juxon and the executioner! "You have now," said the bishop, "but one stage more; it is turbulent and troublesome, but short, and it will carry you a great way — from earth to heaven. You haste to a crown of glory." "I go," replied the king, "from a corruptible to an incorruptible crown." "From a temporal," rejoined the bishop, "to an eternal crown." Charles now laid aside his cloak, and gave his George to Juxon, with the word "Remember!" upon which so much has been said*, laid his head upon the block, prayed,

* It is supposed, as most probable, that he meant his George should be given to the prince of Wales. The brood of loyal and pious fabricators will have it that he meant an injunction of forgiveness to the authors of his death.

and stretched out his hands. The executioner, severed his head from his body at one blow, whilst a “dismal universal groan issued from the crowd.”

The body was conveyed to Whitehall, in the charge of his servants Herbert, Mildmay, Preston, and Joyner, and after lying there to be embalmed till the 7th of February, was removed by them on the night of that day to Windsor. The commons, on the 6th, had placed 500*l.* at the disposal of the duke of Richmond for the burial, and at three in the afternoon, next day, that nobleman, the kinsman of Charles, with the marquis of Hertford, the earls of Southampton and Lindsay, each attended by three servants, deposited the remains of one of the most unfortunate of princes in a vault under St. George’s chapel.†

It is difficult and painful to pass from the trial and death of Charles I. to the contemplation of his character. The sanctity of suffering interposes, and in behalf of one who suffered well. Charles died a martyr—not to the church of England, as it is testified in the rubric—not to the people, as it was declared by him on the scaffold—but to the right and perpetuity of tyrannic power in the kings of England.

Whoever has gone over the life of this ill-fated prince will discover little truth in the historic portraits of him, which have been drawn by friendly, however accomplished hands, from Hume back to Clarendon. They are as those finely imaginative monuments of ancient art, representing the apotheosis of a hero, in which the most expert observer finds it difficult to recognise the mortal. The fidelity of adverse pens on the other hand is more than severe.

* The idle fiction that the executioner and his attendant, both masked, were Joyce and Peters, scarcely deserves mention. See Ellis’s Orig. Lett. v. 3. pp. 323, &c.

† Several hackneyed but now convicted fabrications of that age, repeated in the next, to heighten the feelings of piety and admiration for the king, and execration of those who brought him to the block, have been omitted in the above sketch of the king’s trial and execution. Among them may be mentioned the noise of preparing the scaffold in his hearing the night before he was executed—the device of a long prayer by Harrison to conceal the execution from Fairfax—the levity of Cromwell and Henry Marten in signing the warrant, &c. &c.

In his character as a prince, the two distinctive and decisive traits are despotism and bad faith. But these have been overcharged when they should rather have been extenuated. He is condemned as the usurping invader of the subject's liberties. This was not the true relation between the nation and that prince. The subject had as yet no clear and long settled liberties, no authoritative laws or institutions of state sufficient to protect property and person. The concessions extorted from the Plantagenet princes by the English barons and their free retainers, were alternately revoked and regrasped, but never settled down into established rights. Some beneficial enactments were passed under the usurper Richard ; — for usurpations, opposed, not aided, by the superstitions of allegiance, must recommend themselves by real beneficence, and are the eras of good laws.

That popular delusion, called the ancient British constitution, is but an echo, propagated partly by English pride, partly as a device to prevent the improvement of civil polity from keeping its natural pace with popular reason and political science. A glance at the reigns of Henry VII., Henry VIII., and Elizabeth, will show that, against the avarice and rapacity of the first, the cruel genius of the second, the despotic vigour of the third, Magna Charta and the statute (25 Edward III.) of treason were a dead letter ; that the house of commons and the judicial order afforded no protection from imposts by prerogative, arbitrary imprisonment, and iniquitous capital procedure.* Every pretension of civil right is met by an antagonist one of prerogative, and the scale turned by that dogma of superior or sovereign power in the monarch, which was put down or put aside, for the first time, by the long parliament, re-established at the restoration, and capitulated with rather than conquered at the revolution of 1688. He who supposes that Elizabeth could not have imposed ship-money in an emergency of foreign war, must be deficient in candour, or imper-

* The courts, so called, of justice are described by Mr. Hallam as "caverns of murder."

fectedly informed. Charles thought that, as he inherited, he might exercise, the integrity of her prerogative over a people who had by his time outgrown it, and without his possessing her vigour, her prudence, or her able ministers. This, and not the invasion of settled liberties, was his offence.

But he violated the petition of rights which he had himself conceded, and which placed him in a new relation to his subjects ; and, in his negotiations with the parliament, his concessions and engagements were made in bad faith, with the secret purpose of revocation and vengeance. His perfidy even here has been too severely judged. It was the result of extrinsic circumstances rather than natural disposition. His moral sense was perverted by his education for the throne and by court divinity. He was taught to believe monarchy of divine right, episcopacy of divine institution ; and he looked upon every promise or engagement to the contrary, yielded by him to superior force, no more binding than promises made by a captive to a bandit or a pirate. Hence he would impose casuistry for conscience upon himself and others. His protestantism however was tolerant and sincere, and the rare merit of its being free from bigotry proved one of his misfortunes.

He has been represented as a person of no ordinary endowments and accomplishments by some, as a person below mediocrity in talents and acquirements by others. There are in his life proofs irresistible that he was weak and obstinate, impolitic and intriguing. In council he was easily led by those who merely suggested to him means, without presuming to divert him from his ends. Hence the power exercised over him by court favourites and the clergy. The wisest and most faithful counsellor lost his confidence and incurred his aversion, by enlightening his reason in opposition to his humour. He trusted and was attached to his favourite courtiers, Buckingham, Laud, Strafford, Hamilton, but only as subservient ministers to his power and pleasure.

Though destitute of the sentiment of friendship, and incapable of estimating character, he did not readily withdraw his confidence or change his favourites. He believed in the reality of virtue, and, unlike most tyrants, was superior to suspicion and fear. He possessed firmness in council, and courage in the field, but without inspiration or enterprise; and perhaps without resolution, except upon the suggestion of others. The notes extant of his share in the discussions of the council of peers at York, and the treaty of Newport, have been relied on as proofs of considerable if not superior talents. The utmost that can be said is, that they are not inconsistent with the talents assigned to him by his admirers, whilst the better evidence of his letters and recorded conversation is decisive of the vulgarity of his thoughts and style.

The pious fraud of the *Eikon* is now exposed and abandoned; the controversy with Henderson is apocryphal; and the poor stanzas given by Burnet, before that busy churchman's apostacy from toryism, as written by the king in his captivity at Carisbrook, bear internal evidence of imposture.*

His only undoubted accomplishment was a cultivated taste in the fine arts: he employed and appreciated, in architecture and sculpture, Inigo Jones and Lesueur; in painting, Rubens and Vandyk; and he made a precious collection of works of art, including the purchase of the famous gallery of the duke of Mantua. The court masks of Ben Jonson, Daniel, and Heywood, do him no honour.

He was a fond husband and father; reserved, grave, and decorous in his exterior deportment; but the purity of his private life is doubtful or exaggerated.†

* Godwin, ii. 686.

† See Peyton's *Divine Catastrophe*,—a sketch executed in a passionate but not insincere or malignant temper; the letter of lord Sunderland to his wife, and that of lady Leicester to her husband, &c. in the Sidney papers. The reserve and decency of Charles were overcharged, from their contrast with his father's manners and conversation.

It is difficult to reconcile ungracious manners and repulsive looks with the open brow and handsome features on the canvass of Vandyk,—with that gentle spirit and upbraiding smile which seem to address themselves by anticipation to the judges who passed sentence upon his person, and the readers who would confirm it upon his character.

CHAP. IV.

1649—1653.

THE EXECUTION OF THE KING CONSIDERED. — THE GOVERNMENT OF ENGLAND DECLARED REPUBLICAN. — ABOLITION OF THE HOUSE OF LORDS. — FORMATION OF THE COUNCIL OF STATE. — CARE OF RELIGION. — FURTHER MEASURES. — TRIALS FOR TREASON. — DISCONTENT IN THE ARMY. — LAW OF TREASON. — CROMWELL'S EXPEDITION TO IRELAND. — HIS RETURN TO ENGLAND. — JOHN LILBURNE. — CHARLES II. PROCLAIMED IN SCOTLAND. — ASSASSINATION OF DORISLAUS. — CHARLES IN SCOTLAND. — THE COMMAND OF THE EXPEDITION TO SCOTLAND REFUSED BY FAIRFAX, AND ACCEPTED BY CROMWELL. — CORONATION OF CHARLES II. — BATTLE OF DUNBAR. — THE SCOTS INVADE ENGLAND. — BATTLE OF WORCESTER. — ESCAPE OF CHARLES II. — AFFAIRS OF IRELAND. — DEATH AND CHARACTER OF IRETON. — INCORPORATION OF IRELAND AND SCOTLAND WITH THE COMMONWEALTH. — PROJECT OF INCORPORATION WITH THE UNITED PROVINCES. — NAVAL ADMINISTRATION AND ACHIEVEMENTS. — MURDER OF ASCHAM. — MISSION OF ST. JOHN TO HOLLAND. — BLAKE. — VAN TROMP. — DE RUYTER. — INSOLENCE OF VAN TROMP. — GREAT NAVAL VICTORY BY BLAKE.

THE execution of Charles I. by the republicans was a disastrous error. Charles, by rendering his government incompatible with freedom, forfeited his throne, but not his life. If life were to be taken away upon abstract principles and by extraordinary procedure, not by known law and established jurisprudence, its tenure would be frail indeed : if the first magistrate were made an exception, it would involve the political obliquity of placing his personal safety in a worse situation than that of the meanest of the people. But, if the republicans tried and executed Charles, it was because they believed the terrible assertion of a great principle — a king's responsibility to man — necessary to the establishment and security of freedom, and thought to reveal the young

republic in a great example * to mankind. Their sagacity, however profound and fearless, was at fault, if they are to be judged by the event. The exile or imprisonment of Charles, which appears to have been the notion of Algernon Sidney †, would have tended much more than his death to perpetuate the commonwealth; and the example was lost even upon his own sons and successors.

The charge of selfish and sanguinary ambition is most unjust. That "memorable judgment" was courageous and disinterested. Of the men who pronounced it, it may be said that

" It was the cause — it was the cause —

* * * * *

For nought they did in hate, but all in honour." ‡

* The supposed consultations of the republican officers about ridding themselves of the king by secret assassination, have been too often and too completely refuted to be noticed here; though they are reiterated by Mr. D'Israeli with as much confidence as they are stated by lord Clarendon. It is much to be regretted, that a work so distinguished for curious and interesting research as the "Commentary on the Life and Reign of Charles I.", should be rendered dangerous, or unavailable as a book of reference, by perverse ingenuity and a perpetual strain of advocacy.

† Lett. of Alg. Sid.—Blencowes, 237.

‡ The following opinion of Mr. Fox (Fragment of History, &c. p. 16, &c.), will be read with advantage and interest:—" If we consider this question of example in a more extended view, and look to the general effect produced upon the minds of men, it cannot be doubted but the opportunity thus given to Charles to display his firmness and piety, has created more respect for his memory than it could otherwise have obtained. Respect and pity for the sufferer on the one hand, and hatred to his enemies on the other, soon produce favour and aversion to their respective causes; and thus, even though it should be admitted (which is doubtful), that some advantage may have been gained to the cause of liberty, by the terror of the example operating upon the minds of princes, such advantage is far outweighed by the zeal which admiration for virtue, and pity for sufferings, the best passions of the human heart, have excited in favour of the royal cause. It has been thought dangerous to the morals of mankind, even in fiction and romance, to make us sympathise with characters whose general conduct is blameable; but how much greater must the effect be, when in real history our feelings are interested in favour of a monarch with whom, to say the least, his subjects were obliged to contend in arms for their liberty? After all, however, notwithstanding what the more reasonable part of mankind may think upon this question, it is much to be doubted whether this singular proceeding has not, as much as any other circumstance, served to raise the character of the English nation in the opinion of Europe in general. He who has read, and, still more, he who has heard in conversation, discussions upon this subject by foreigners, must have perceived that, even in the minds of those who condemn the act, the impression made by it has been far more that of respect and admiration, than that of disgust and horror. The truth is, that the guilt of the action, that is to say, the taking away of the life of the king, is what most men in the place of Cromwell and his associates would have incurred; what there is of splendour and of magnanimity in it, I mean the publicity and solemnity of the act, is what few would be capable of displaying. It is a degrading fact to human nature, that even the sending away of the duke of Gloucester was an instance of generosity almost unexampled in the history of transactions of this nature."

The commonwealth may be dated as virtually existing from the adverse issue of commissions of military array by the king and the parliament, in the summer of 1642. From that time to the king's death, it developed its principle, improved its agency, and presents an instructive example of the relation between simplicity and power, as cause and effect in the machinery of government. It was now rather avowed than established in name and form. Truth demands the frank admission thus early, that the founders of the commonwealth henceforth fall short of the elevation of character which distinguished them in the great strife for liberty. It would seem as if their genius, no longer actuated by the same singleness of purpose, lost some portion of its vigour, and more of its virtue. The proofs and particulars will become more properly the subject-matter of remark in a future stage.

Some steps were taken preparatory to the new order, before the trial of the king. Whilst Harrison was conveying him from Hurst Castle to Windsor, Cromwell, Dean, Lenthall, Whitelock, and Widdrington, deliberated in conclave * ; but of their deliberation nothing appears to have come to light. The resolutions declaratory of the principle that the people are, under God, the fountain of all just power, and their representatives in parliament the depositaries of all legislative power, without consent of king or lords, were passed in the beginning of January, and have been already cited. A new great seal, with the inscription, "In the first year of freedom by God's blessing restored," came into use on the 9th of January. On the 27th it was voted treason to use the style or title of "king," in lieu of which was ordained that of "The keepers of the liberty of England, by the authority of parliament †;" and "the king's peace" was changed to "the public peace." It was voted

* Whit. Mem., Jan. 1649.

† *Custodes libertatis Angliae* authoritate parlamenti. Who those keepers were is not clear. Mr. Godwin supposes the keepers of the great seal were meant, but it is more likely to have been the executive branch, then consisting of the committee at Derby House, and soon changed into the council of state.

at the same time, that the ordinances of parliament should henceforth be called acts.

On the 1st of February the house of lords sent a message to the house of commons, desiring a conference on the new settlement. The commons allowed the messengers to wait at the door, without the slightest notice of them or of their message. The patience of the messengers was exhausted, but not that of the lords, who sent again and again, with as little success. The commons at last took cognisance of their existence, in a resolution, passed on the 6th, “That the house of peers in parliament is useless, dangerous, and ought to be abolished, and that an act be brought in to that purpose.” It was carried, on a division, by a majority of forty-four to twenty-nine. Their lordships were sitting at the time, heard prayers, disposed of a rectory, adjourned to the next morning as if nothing had happened, and did not sit again till the Restoration. The house of lords was in fact a disobedient but puny satellite, disposed to retard or disturb the revolution, without the power to exercise any material influence.

Next day it was voted, “That kingship in this nation hath been found by experience to be unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people, and ought therefore to be abolished.” This vote was soon followed by the taking down of the king’s statues at the Royal Exchange and other places, and the placing of the following inscription on the several sites:—“*Exit tyrannus regum ultimus — Anno libertatis Angliae restitutæ primo — Anno Domini 1648-9, Jan. 30.*”

Two acts in pursuance of those votes were soon passed, and the house of commons published a declaration of the grounds of its “late proceedings and settling the government in the way of a free state.”*

These merely ceremonial changes of decoration were made with the utmost facility. They were the natural and easy consequence of the triumph of the army and

* It was widely circulated in English, Latin, French, and Dutch.

the independents over the king at Naseby — over the presbyterians in the epuration of the house of commons. An act was passed for the sale of the royal property in lands and houses, of those trappings of royalty which are called the regalia, of the king's furniture, jewels, paintings, and other works of art. The courts of France, Spain, the Spanish Netherlands, and Sweden were the chief purchasers. The indifference with which they looked on whilst Charles was tried and executed, has been contrasted reproachfully, and not unjustly, by royalists, with their avidity to possess his spoils. But Mazarin, who ruled the councils of France, was engaged in the troubles of the Fronde — that burlesque on civil war,— and had a prudent fear of the parliament; the Spanish ambassador gave his court and that of Brussels just notions of the power which had grown up in England; and the masculine philosophy of the queen of Sweden disposed her to admiration of the republicans.

One only organic change was the appointment of an executive council of state to supersede the committee of government at Derby House; and this perhaps was rather a personal substitution. Five members were charged to prepare and present a list of forty persons, as fit and proper to compose this council, and to continue for one year. Those nominators were Lisle, Scot, Ludlow, Holland, and Robinson, republicans whom the simplicity of their virtue rendered superior to selfish ambition or intrigue. They reported only thirty-five names. To complete the number, the persons named, together with the five nominators, were severally elected by the house*,

* The following is the complete list of the council of state for the first year of the commonwealth :—

Philip earl of Pembroke,
William earl of Salisbury,
Basil earl of Denbigh,
Edmund earl of Mulgrave,
William lord Grey of Werke,
Philip viscount Lisle,
Thomas lord Grey of Groby,
Bulstrode Whitlocke, } keepers of
John Lisle, } the seal,
Henry Rolle, chief justice,

Oliver St. John, chief justice,
John Wild, chief baron,
Thomas lord Fairfax,
Lieut.-general Oliver Cromwell,
Major-general Philip Skippon,
Sir Arthur Haselrig, baronet,
Sir Gilbert Pickering, baronet,
Sir William Masham, baronet,
Sir William Armine, baronet,
Sir William Constable, baronet,

and installed on the 17th of February. The president of the council was Bradshaw, and its secretary for foreign correspondence Milton.

It is obvious that so large a council was more fit for deliberative than executive functions ; but this inaptitude was obviated by separate committees for their separate and proper purposes. There is no mention of an official salary, and it may be inferred that the service was gratuitous.

Of the twelve judges, six refused to act, and their places were soon supplied. Widdrington resigned his office of one of the two keepers of the seal, which was continued, during good behaviour, to Whitelock, with Keble and Lisle associated with him in the commission. The king's bench, with St. John chief justice, was styled the common bench.

Religion was not left a matter of wild fancy and voluntary practice. The presbyterian form was maintained, but stripped of all coercive power and temporal pretension ; in short, restricted to conferring licences and ordination. A provision was made out of the tithes for the episcopalian clergy, and there was a decided relaxation even towards catholics.

One grand breach of faith on the part of the founders of the new commonwealth cannot escape the most careless observer,—their failure to reform the representation, the municipal institutions, and the law, according to the admirable outline given in the “ Declaration of the Army,” and the “ Agreement of the People,”—and to make this the basis of the new settlement. The de-

Sir Henry Mildmay, knight,
Sir Henry Vane, knight,
Sir John Danvers, knight,
Sir James Harrington, knight,
Henry Marten,
John Bradshaw,
Valentine Wauton,
William Purefoy,
Robert Wallop,
John Hutchinson,
Anthony Stapeley,

William Heveningham,
Dennis Bond,
Alexander Popham,
John Jones,
Alderman Rowland Wilson,
Alderman Isaac Pennington,
Edmund Ludlow,
Thomas Scot,
Cornelius Holland,
Luke Robinson.

fence offered is, that a dissolution of the parliament at this crisis would expose the nation to the return of kingship with its power and passions, and possibly with the bigot vengeance of the presbyterians in its train. The new rulers recruited the house by relaxation in favour of excluded and retired members, and by new writs to fill up vacancies.

The government of England under the new order had stupendous difficulties to encounter, but great national resources at its disposition. A single fact may be stated as a criterion, in passing, of the advance of the national prosperity under the great drain of the civil war. The interest of money, which before was sometimes above ten, never below eight, now fell to six per cent. But this is a common result of domestic war, with all its sacrifices, when waged for freedom,—from the armed opposition of the United Provinces against the government of Philip II., to that of the United States against the government of George III.

One of the earliest acts of the council of state was the removal of the earl of Warwick from the post of high admiral; the appointment of Blake, Dean, and Popham to command the fleet; and placing the naval administration in the hands of a committee of three,—Vane, Wauton, and Wilson,—which, chiefly through the capacity and zeal of Vane, gave new lustre to the naval power of England.

It were better for the fame of the republicans, and perhaps for the interests of the republic, that the flow of blood had ceased with the execution of the king. The duke of Hamilton, the earl of Holland, the earl of Norwich (Goring), lord Capel, and sir John Owen were brought to trial as traitors, and before that new and odious tribunal,—a high court of justice, specially named,—and all condemned. Hamilton pleaded his being a subject of the crown of Scotland, but was tried as earl of Cambridge. Capel and Norwich pleaded the capitulation of Colchester, but the evidence of Fairfax

did not bear them out. All except Owen petitioned parliament. The petitions of Hamilton and Capel were unanimously rejected ; that of Holland, the brother of Warwick, was rejected by only one vote : Norwich, a man of the most profligate character and most agreeable humour, was saved by the speaker's casting voice, on the ground of former kindness. Owen, who, from disdain of solicitation or disregard of life, made no appeal either to justice on his trial or to mercy after*, was respited and spared ; and on the 9th of March Hamilton, Holland, and Capel were executed. Charles prince of Wales, and James duke of York, with several lords and gentlemen, were condemned to banishment and confiscation.

The first opposition to the new government proceeded from the army. The republicans, as might be expected, were not all satisfied with the prolongation of its own existence by the parliament, the failure of a complete reform, and the views of ambition manifested by the chiefs of the revolution. Lilburne sounded once more his trump of discord in a pamphlet entitled “England’s new Chains,” attacked the new order where it was most vulnerable with reckless vigour, reanimated the levellers, and attempted to revive the system of agitators. Three demands were put forward prominently in addresses to the parliament and to Fairfax, — the abolition of the council of state and of the high courts of justice, and a dissolution.

The levellers, in the simplicity of their zeal, did not perceive that demands, which were meritorious whilst a system was to be pulled down, became criminal when made after the attainment of that end. A mutiny embracing several regiments broke out into armed rebellion at Banbury and Salisbury, but was easily suppressed. The former mutineers, led by a captain named Thompson, in attempting to make their way to form a junction with the latter, were completely routed by

* Carte, Gen. Hist. b. 24.

colonel Reynolds ; and the latter, more formidable, in moving towards their confederates of the midland counties, were surprised and captured to a man, in the night, at Burford, by Fairfax and Cromwell. They were without leaders, and it would appear without plan. Four only were executed, two corporals and two cornets.

Meanwhile Lilburne, with three of his associates, Walwyn, Prince, and Overton, were shut up in the Tower. A small band of poor crazed visionaries, called "diggers," from their insisting that the earth and its fruits were to be held in common, and who accordingly set themselves one morning to sow and plant a common in Surrey, were convinced of their mistake by a troop of Fairfax's horse, which interrupted their labours, dispersed the more tractable, and committed the refractory to prison.

Upon the performance of these services, Fairfax, Cromwell, and several distinguished officers, among whom were sir Hardress Waller, Harrison, Hewson, Okey, and Goffe, visited the university of Cambridge, and received honorary degrees.

The law of treason was in a state of anomaly ; but there appears no such difficulty as many writers have supposed, upon the disappearance of the king. "The public peace" was as intelligible as "the king's peace," and treason by conspiring or levying war against the commonwealth would have been as intelligible and distinct as against the king. Those constituents of treason which related to the king's life, would of course disappear with his person. The parliament recast the law of treason into a form which must have shocked not only the reflecting and informed, but the mass of the people. It was declared treason to affirm, in speech or writing, that the commonwealth was unlawful, usurped, or tyrannical ; to deny the supremacy of parliament ; to plot, conspire, or levy war for the subversion of the commonwealth or the council of state, or, *not* being of the army, to stir up mutiny or insubordination.

tion therein *; words spoken were made capital; and sedition, which demands so much jealous vigilance as a misdemeanor, was changed into treason, with all its penalties. The parliament, which thus armed itself with terror, but proved its weakness as the guardian of freedom.

Charles prince of Wales was proclaimed king in Scotland by the parliament of that kingdom; in Ireland by the marquis of Ormond, who held authority there as viceroy. Both kingdoms at the same time invited the prince from abroad. He made his option for the latter, where there was no covenant; and the commonwealth of England took measures for maintaining its dominion over Ireland.

It is here unnecessary, and would be inadmissible, to do more than touch in passing the state of the most troubled and mutually maleficent aggregation of human beings on the surface of the earth. This is not an overcharged notion of the population of Ireland. The distractions of party; the rage, the passions, the animosities of nation and religion; the reckless barbarism of the Irish; the imperfect and inhuman civilisation of the English; in fine, the prodigious phenomenon of a community devoid of social reason, and a stranger to social peace, would suggest to a religious mind the idea of God's curse upon a portion of his creatures, if it were not irrational to suppose that God cursed anything which he had made and suffered to exist.

Cromwell was appointed to reduce Ireland to obedience; and, as if there were something contagious in the system of warfare there, he signalised himself by a pre-eminence in carnage, which had been hitherto and was ever after alien to his character. He left London as lord lieutenant-general and general governor of Ireland, with a pomp of equipage and escort indicative of the future usurper, and landed in Ireland on the 15th

* The application of the law to non-military persons was aimed at John Lilburne, Wildman, and other agitators no longer of the army.

of August with 12,000 troops, well appointed and disciplined.

Ormond, on his return to Ireland from Hampton Court, recovered his ascendant over the party of the nuncio,—repaired the breach of the pacification with the catholics,—renewed his intimacy with Inchiquin, who joined the parliamentarians from pique, and now, relapsed into a royalist, was at the head of a numerous army,—pressed the famous or infamous Monk so closely, that he fled to England,—confined Jones within the defences of Dublin,—and in short brought the chief places in Ireland to acknowledge the king, with the exception of Dublin and Derry.

Cromwell was accompanied by Ireton as his second in command. He appointed Jones lieutenant-general on his arrival, probably for his knowledge of the country; and Ireton, with the disinterested superiority of his motives, took the rank of major-general. The first object of attack was Drogheda, which Ormond had placed in a state of good defence. Cromwell, having invested the town, and having on the 3d of September approached the walls within battering distance, on the 10th summoned the governor sir Arthur Aston to surrender. A refusal being returned, he next day opened his batteries, effected a breach, and commenced an assault. Two storming parties were successively repulsed. He put himself at the head of the third, carried the breach, and refused quarter. The garrison, fighting at every street and every post for their lives, were put to the sword. Of 140 who retreated to a tower and held out till next day, the officers were all “knocked on the head,” every tenth soldier killed, the rest “shipped for Barbadoes,” and the work of slaughter continued upon the inhabitants, man, woman, and child. Mr. Godwin, and the author of a compilation professing to be “Memoirs of Oliver Cromwell,” question Clarendon’s statement that “all the citizens who were Irish, man, woman, and child, were put to the

sword ;" and his own authority in the "Historical View," as well as that of Ormond, is appealed to. Clarendon was certainly wrong in saying " all ;" but there is the express authority of Ormond* that " bloody inhumanity, exceeding the Book of Martyrs and the massacre of Amboyna, was exercised for five days."

No solution of motive for this dreadful carnage on the part of Cromwell can be taken against his own words : " I am persuaded," says he, " that this is a righteous judgment upon these barbarous wretches, who have imbrued their hands in so much innocent blood, and that it will tend to prevent the effusion of blood for the future ; which are the satisfactory grounds to such actions, which otherwise cannot but excite remorse and regret." † This is not the place to examine the fabulous effrontery of the so-called Irish massacre‡, but the infant part of the sufferers might have answered Cromwell, with the lamb to the wolf, that the Irish massacre was before they were born. To do Cromwell justice, however, in spite of his fanaticism or hypocrisy, his chief motive was to strike such terror at the onset as would produce unresisting submission to his arms. The censure passed in England upon his slaughter of the inhabitants is a melancholy and instructive characteristic of the religion of the age, — it was that some part of the blood shed by him was protestant ! §

Several minor places now opened their gates to Crom-

* Carte, Life of Ormond, ii. 84.

† Harris's Life of Oliver Cromwell, 224.

‡ Mr. Godwin seems to forget his usual philosophy, and, it may be added, his usual correctness, when he comes in contact with "the Irish massacre," and "the barbarous Irish catholics." It is evident that his information on the state of Ireland was imperfect, and from impure sources. He calls the Irish "bigotted, ignorant, and blood-thirsty catholics." Had he looked more closely at the facts, he would have found the English in Ireland as "bigotted and blood-thirsty protestants," without the palliation of equal ignorance. "The catholics," he says (iii. 149.), "would never submit to the English republicans, as long as they were able, or as long as they dared to resist ;" thus shutting his eyes to the fact that O'Neil, the commander of the catholic army of that party which might be called national, as opposed to Ormond and the mere royalists, entered into terms with Jones and Monk to acknowledge and support the commonwealth in Ireland, on the conditions of religious toleration and the safety of person and property, and this at a moment when Ormond was recovering his ascendant.

§ Brodie, iv. 256.

well. Wexford refused, and, like Drogheda, was taken by storm, and deluged with blood. Lord Broghill, who adhered to the parliament*, whilst Inchiquin went back to Ormond, obtained the surrender of Cork, Killarney, and Youghal. Cromwell sat down before Waterford, found the garrison too resolute and the works too strong for speedy success, moved to the south, and took up his winter quarters in the principal seaports.

He reopened the campaign at the end of January. 1650. His career of slaughter rather than of conquest — the more odious, that he was the most cruel to those who made the bravest resistance — would be a catalogue of barren horrors. Broghill had his full share in them.

* Mr. Godwin (iii. 153.) gives from Morrice's Memoirs the following account of the relations between Cromwell and lord Broghill :—

" Cromwell also met with an able co-operator in the province of Munster. This was lord Broghil, who had deserted from the king to the parliament with lord Inchiquin in 1644, and again with that nobleman returned to his loyalty in 1647. He, however, as well as Inchiquin, for some time prosecuted his views in a secret manner, and thought to escape observation. He professed to desire nothing more than to retire into privacy. His real purpose was to render Charles all the service he could in the Irish war ; and with that intention he determined to pass over to Holland, to obtain from the king a proper commission, and to concert with him and his counsellors the best measures for all parties to pursue. With this view he came to London from his seat in Somersetshire, where he had lately resided, and having obtained a passport, was on the point of setting off for the sea-coast. He had scarcely, however, alighted at his sister's house, the countess of Ranelagh, having come in the dusk of the evening, when a messenger arrived to inform him that Cromwell would wait upon him, being desirous to see him. Broghil replied that there must be some mistake, as he had not the honour of Cromwell's acquaintance. That officer, however, arrived immediately after, and, having first expressed the kindness and respect he entertained for this nobleman, proceeded to inform him that his designs were perfectly known, and that, instead of proceeding to Spa for his health, as his passport purported, he was going immediately to Charles Stuart for purposes hostile to the government. Broghil protested that he was wholly incapable of any such design, and begged the general not to believe it. Cromwell upon this assured him that he had good proof for what he said, and that he could shew him his own letters to the purpose ; adding that they had already been examined by the council of state, who had made an order for his being committed to the Tower, but that he, Cromwell, had obtained a delay in executing the order, till he should previously have conferred with the writer. Broghil, finding that he was discovered, begged the general's pardon, thanked him for his kindness, and requested his advice what he was to do. Cromwell answered, that he had obtained permission from the council to offer him a command in the Irish war ; that he should have the authority of a general officer ; that no oaths should be imposed upon him ; and that he should only be required to serve against the Irish catholics. Broghil felt reluctance to the proposal, and accordingly desired some time to consider of the offer. But Cromwell rejoined that no time could be allowed, as, the moment he left Broghil with the offer unaccepted, he would instantly be constituted a state-prisoner. From this hour Cromwell and Broghil were cordial friends."

Irishmen indeed have been in all ages the most relentless enemies of each other and of their country. The last and most gallant resistance offered to Cromwell was at Clonmel. Cromwell having effected a breach, and made vigorous but unsuccessful efforts to carry the place by storm, listened to a parley, granted an honourable capitulation, and on entering the town, found that the governor O'Neil, son of the general of the catholics, had retired. This capitulation may be in part ascribed to his eagerness to return to England.

He sailed from Ireland at the end of May, leaving behind him a name which popular tradition still preserves as the symbol of terror and calamity, and some marks of his better genius, not wholly effaced by bloodshed. He was terrible only when the sword was unsheathed ; he enforced the strictest discipline upon his army towards those who did not appear in arms ; he forbade his soldiers to take anything from the people without due payment, on pain of death ; and, without granting open toleration, which, under the circumstances, was scarcely in his power, he did not molest the catholics for their religion.* His army was in consequence more amply supplied than those of Ormond and the Irish.† Jones, the second in command, died of fever in the preceding winter, and Ireton succeeded Cromwell, with the rank of lord deputy.

Whilst Cromwell was spreading the terror of his arms in Ireland, he was assailed by his old enemy Lilburne in England. That person had the qualifications of a demagogue without the virtues of a patriot. Even from the Tower he sent forth his denunciations of the parliament and council of state, as a company of "pickpockets," "thieves," "robbers," "murderers," and "brother beasts of Nebuchadnezzar the tyrant"‡, challenged them to a debate by two champions on each side

* His proclamation enforcing all these particulars is mentioned by Carte, *Life of Ormond*, ii. 90. He proclaimed at the same time, that "he was for the commons;" that is, for the people; and this profession of democracy had its effect in conciliating the Irish peasantry. (*Id. ibid.*)

† *Id. ibid.*

‡ *Lilburne's Tracts, "Fundamental Liberties," &c.*

and an umpire, upon the issue of which he staked his life, and declared that, if his challenge were not accepted within five days, he should hold himself free “to anatomise them publicly and privately.”

The ruling persons of the time in England seem to have entertained a strange fear of Lilburne. A prosecution commenced against him in April of the preceding year was abandoned, and he was released on bail, at the intercession of Henry Marten, on the ground of the death of his son and distress of his family. He made use of his liberty to publish what he styled “an impeachment of high treason against Cromwell and Ireton,” and “an appeal to the private soldiers of the army.” A mutiny at Oxford resulted from his pamphlets and his intrigues, and it was discovered that this uncompromising leveller was acting in secret concert with the royalists. Proceedings were at last instituted against him under the new law of treason, and either his audacity gave way, or he acted with the self-possessed and supple adroitness of a veteran demagogue. He offered, upon payment of arrears which he claimed, to ship himself off for America. The offer was not noticed, and he was brought to trial. The court was composed of forty special commissioners, including the lord mayor, several aldermen, the recorder, the judges, Keble, one of the lord keepers, and other knights and gentlemen, against whom, as well as against Prideaux the attorney-general, he defended himself with untiring address and vigour through two days. He was arraigned capitally under the new law, but, fortunately for him, his lot depended upon a jury of twelve true Englishmen. The new enactment did not remove from their minds the difference between a seditious libel and an overt act of treason: they found him not guilty; the judges grew pale; and the multitude shouted round Guildhall, the scene of the trial.* This result shook the authority without enlightening the minds of the rulers of the

* See, in the State Trials, vol. iv., a voluminous account of the proceedings, revised by Lilburne.

commonwealth. They sent back Lilburne to the Tower, and after some time acknowledged both their injustice and their weakness by liberating him.

The close of the first year of the commonwealth was chiefly marked by this trial. In the following February the council of state was re-elected for the second year, with the exception of lords Pembroke, deceased, Mulgrave, Grey of Werke, and sir John Danvers rejected, lord Howard of Esrick, sir Peter Wentworth, Chaloner, Gurdon, and Morley.

As the conquest of Ireland distinguished the first, that of Scotland no less signalised the second year, and both together established the supremacy of Cromwell. He was summoned from Ireland, as already stated, to march against the Scots. Charles II. was proclaimed by the Scotch parliament king, not of Scotland alone, but of the three kingdoms. This was equivalent to a declaration of war against the commonwealth, and if quickly followed up might have proved fatal. But Charles had not long resolved for Ireland when he was daunted by the appointment of Cromwell; and, between negotiating with the Scotch deputies for some relaxation of the covenant, and soliciting aid in men or money from the courts of Versailles, Brussels, and Vienna, the czar of Russia and the shah of Persia*, it was not till the following summer that he left Breda for Scotland.

Two incidents requiring notice preceded his voyage. Dorislaus, who acted as prosecuting counsel on the king's trial, and was resident minister of the commonwealth at the Hague, was assassinated by a band of six ruffians in masks, who took him unawares at table in his house. The commonwealth remonstrated in few but frank words with the states-general†, and they not only instituted a search after the murderers, but obliged Charles to leave the republic. This delayed his preparations for Scotland. The assassins were Scotchmen, supposed to be hired for the purpose by Montrose, who

* Carte, Gen. Hist., vol. iv. b. 24.

† Thurloe's State Papers, i. 74.

was then at the Hague. His punishment, if he was guilty, soon followed his crime. He proceeded to Scotland in the spring with a few hundred German and other adventurers, as a sort of advanced guard for Charles; obtained some recruits in the Orkneys; crossed over to the main land; found no echo to his voice in the northern shires, where his name was once so magical; was surprised and routed by Strachan; escaped in disguise; was betrayed by a treacherous friend to Leslie; and, after suffering, with a courage truly heroic, every ignominy which could be devised by the basest natures, in revenge, died on a gallows thirty feet high, at Edinburgh.*

Charles, with the evil omen of Montrose's end, cast anchor in the Firth of Cromartie on the 23d of June, but was not allowed to land until he had taken the covenant. Several lords and gentlemen, Scotch and English, chiefly exiles who had joined his court abroad, attended him to Scotland; but he was rather the prisoner than the king of the covenanters, and they enjoined upon him the intolerable penance of kirk sermons and decorous conversation. The acknowledgment which they obtained from him of his affliction for his father's having caused bloodshed by opposing reformation, and for his mother's idolatry, however decisive of the barbarous fanaticism of the covenanters, cannot be supposed to have cost much pain or effort to a person equally unscrupulous and unfeeling. They, however, raised an army under his standard as king of England, Scotland, and Ireland, and denounced the English parliament as regicides and traitors.

But the commonwealth was not unprepared. It is only in domestic legislation that the republicans are found wanting. The army was increased in May, and an expedition prepared against Scotland. The command-in-chief of the expedition was voted to Fairfax, with

* The state condemned him to the distribution and exposure of his head and limbs between Edinburgh, Stirling, Perth, Glasgow, and Aberdeen; the kirk condemned his trunk to burial with common malefactors, in unconsecrated ground, as a person excommunicated.

Cromwell, recalled for the purpose from Ireland, his lieutenant. Fairfax immediately accepted the appointment; but, being assailed by his wife, her presbyterian chaplain, and a reinforcement of presbyterian ministers, was soon brought to think his commission against the covenant a blasphemous impiety, and laid down his command. Cromwell urged him with the utmost earnestness, real or pretended*, to retain at least the command of the army in England, and the council of state endeavoured to change his purpose by a deputation.† His resolution, or rather his weakness, was inexorable; he retired from the command and from public life, left the commonwealth exposed to the usurping ambition of Cromwell, by leaving the army at his disposal without a rival, and in short closed his career with an act which may be called suicidal of his fame.

The sincerity of Cromwell is a matter of dispute to this day. It was said at the time that he “undermined” Fairfax. But the accomplished widow of colonel Hutchinson vindicates him on her own judgment, which was just and penetrating, and on that of her husband, a good republican, an enemy to Cromwell’s usurpation, and a witness of the scene between him and Fairfax.‡

Cromwell entered Scotland on the 23d of July with 11,000 horse and foot, commanded under him by generals Fleetwood, Lambert, and Whalley, colonels Pride, Overton, and Monk. He found before him solitude and devastation. The Scotch clergy had described the English as monsters, delighting in the murder or mutilation of women and children; and the peasantry having destroyed what they must have left, fled with whatever they could remove. Cromwell’s proclamations and severe discipline soon re-adjusted their notions, and they either returned to their habitations or waited his approach.§

David Leslie, commander-in-chief of the Scotch

* Whit. Mem. Lud. Mem. Mrs. Hutchinson’s Life, &c.

† Whit. Mem.

‡ Mrs. Hutchinson’s Life, &c.

§ Brodie, iv. 278.

army, an officer of skill and experience, took up a strong position between Edinburgh and Leith with an army double that of the invaders. His object was to harass Cromwell, cut off his communications with England, and avoid a decisive action ; and he so far succeeded, by a series of skilful movements, that Cromwell judged it expedient to fall back upon Dunbar. The Scots were elated with their success, and Leslie threw himself into the level country beyond Dunbar, by way of cutting off Cromwell's retreat into England. Cromwell and Lambert, observing the new position of the Scots, were both struck at the same instant with the favourable opportunity of bringing them to action. Monk and the other chief officers took the same view, and it was resolved to attack them next morning at break of day. It was, however, after sunrise when the engagement began. The chief point of attack was a pass, seized during the night by Leslie. A regiment of English horse was gallantly repulsed by the Scots. Cromwell immediately led on his own regiment of infantry, and the pass was won with the point of the pike and butt-end of the musket.* That great test of steady valour and arbiter of victory, the fixed bayonet, was not yet known. A thick fog which hitherto enveloped the scene of action disappeared, the sun shone forth, Cromwell exclaimed to those about him, " Now let God arise and his enemies shall be scattered," the republicans made a general and fierce attack, and the Scotch army was routed with the irreparable loss of 3000 slain and 10,000 prisoners. Cromwell ordered the 107th psalm to be sung on the field, dismissed his wounded prisoners, and sent the rest into England.†

He now occupied Glasgow and Edinburgh, and in a long letter to the governor of Edinburgh castle, labours vigorously to convert as he had already conquered the presbyterians.‡

* Narrative of Capt. Hodson, in Brodile, iv. 293.

† Id. ibid.

‡ The following are extracts from a correspondence in Thurloe's State Papers, i. 158, &c. Whalley writes to the governor :—

Charles rejoiced at the defeat of the covenanters.* There was a second party in arms, that of the engage-

" I received command from my lord-generall, to desire you to lett the ministers of Edinburgh, now in the castle with you, know that they have free liberty granted them, if they please to take the pains, to preach in their several churches; and that my lord hath given special command both to officers and souldiers that they shall not in the least be molested."

The governor replies :—

" I have communicated the desire of your letter to such of the ministers of Edinburgh as are with me, who have desired me to return this for answer—that though they are ready to be spent in their master's service, and to refuse no suffering, so they may fulfill their ministrie with joy; yet, perceiving the persecution to be personall, by the practice of your party, upon the ministers of Christ in England and Ireland, and in the kingdom of Scotland, since your unjust invasion thereof; and finding nothing exprest in yours, whereupon to build any security for their persons while they are there, and for their return hither; they are resolved to reserve themselves for better times, and to wait upon him, who hath hidden his face for a while from the sons of Jacob."

Cromwell now writes :—

" The kindness offered to the ministers with you was done with ingenuitie, thinking it might have met with the like: but I am satisfied to tell those with you, that if their master's service (as they call it) were chiefly in their eye, imagination of suffering would not have caused such a return; much lesse the practice by our party (as they are pleased to say) upon the ministers of Christ in England have been an argument of personall persecution. The ministers in England are supported, and have liberty to preach the gospel, though not to raile, nor under pretence thereof to over-topp the civil power, or debase it as they please."

The governor answers for the ministers :—

" That it savours not of ingenuitie to promise liberty of preaching the gospel, and to limit the preachers thereof, that they must not speak against the sins and enormities of civill powers, since their commission carryeth them to speak the word of the Lord unto, and to reprove the sins of, persons of all ranks, from the highest to the lowest. But they are sorry, that they have just cause to regrate, that men of meer civill place and employment should usurp the calling and employment of the ministry, to the scandall of the reformed kirks."

Cromwell rejoins in a long letter, containing the following passages :—

" Because I am at some reasonable good leisure, I cannot let such a gross mistake and inconsequential reasonings pass without some notice taken of them. They must give more leave henceforwards, for Christ will have it so, will they nil they; and they must have patience to have the truth of their doctrines and sayings tryed by the sure touchstone of the word of God. We have not so learned Christ. We look at ministers as helpers of, not lords over, the faith of God's people.

" The way to fulfill your ministry with joy, is to preach the gospel; which I wish some, who take pleasure in reproofes at adventure, doe not forget too much to doe.

" Thirdly, you say you have just cause to regret, that men of civil imployments should usurp the calling and employment of the ministry, to the scandal of the reformed kirks.

" Are you troubled, that Christ is preached? Is preaching so inclusive in your function? Doeth it scandalize the reformed kirks, and Scotland in particular? Is it against the covenant! Away with the covenant, if this be so. I thought the covenant and these could have been willing, that any should speak good of the name of Christ: if not, it is no covenant of God's

ment, or of the Hamiltons, which hated Lauderdale and the rigid covenanters no less than Cromwell. He attempted upon this defeat to escape to this party, and fled to the mountains about forty miles north of Perth, where he was overtaken, and either forced or persuaded to return.*

By way of reconciling him to the covenant, or for some other reason, his coronation took place, and the crown was placed on his head by Argyle, in whom, says Clarendon, "it was thought expedient to raise an imagination that the king had a purpose to marry one of his daughters." The insincerity of princes should scarcely excite surprise or censure, when their ministers know no other name than expediency for false play of the meanest kind. It has been remarked, upon this passage, that "Argyle was afterwards brought to the block for conduct previous to this negotiation."† The ceremony of the coronation took place on the 1st of January, at Scone.

The Scots made great efforts to recruit their army, 1651. and resumed the defensive, which they should never have abandoned. Moderate or royalist presbyterians were now more freely admitted into the ranks. This had its ill effects. Strachan, who routed Montrose, unsatisfied with the change, passed over with some chosen followers to Cromwell, with whom he had served in the first civil war.

approeing, nor the kirks you mention in so much the spouse of Christ. Where do you find in the scripture a ground to warrant such an assertion, that preaching is included in your function. Tho' an approbation from men hath order in it, and may doe well, yet he that hath not a better warrant than that, hath none at all.

Your pretended fear, least error should step in, is like the man that would keep all the wine out of the country, least men should be drunk. It will be found an unjust and unwise jealousie, to deny a man the liberty he hath by nature, upon a supposition he may abuse it: when he doeth abuse it, judge. If a man speak foolishly, you suffer him gladly, because ye are wise; if erroneously, the truth more appears by your conviction: stop such a man's mouth with *sound words*, that cannot be gainsaid."

He encloses at the same time four controversial queries, which the ministers decline answering.

* This flight is commonly mentioned by Scotch writers as "the start."
† By Mr. Brodie. Hist. Brit. Emp. &c., iv. 299.

The advance of winter, and a fit of ague which seized Cromwell, suspended military operations. In the spring the Scots had once more a numerous and effective army, commanded in person by the king, and occupying a strong position near Stirling. Cromwell's manœuvres to bring them to action failed, and they were too well defended by art and nature for attack. He detached Lambert into Fife to provoke an action by intercepting their supplies, with a success, trifling in itself, but sufficient as an experiment to determine him upon crossing the Firth with his whole army, and occupying the city of Perth. Charles, on his part, was inspired by this movement with a more daring, and, as it proved, a fatal resolution. Upon the advice of his English followers, who overruled the more prudent Argyle, looked with contempt upon the parliament, and counted upon the numerical majority of the English nation, unquestionably in his favour, he left his fortified camp, and took the direct route which lay open to him for England. He began his march on the 31st of July, and reached Carlisle on the 6th of August.

Cromwell probably foresaw this movement: he at least prepared to defeat it with sagacity and vigour. He despatched an express to the parliament, apprising them of the Scots invasion and his intended operations; sent Lambert forward with a detachment of cavalry to harass the rear of the Scots, and followed close with the main army, leaving Monk behind to complete the conquest of Scotland. Charles marched without interruption by Kendal and Preston to Warrington, and was disheartened, it is said, by the apathy or fear of the people. Lambert passed the king, joined colonel Harrison in advance of him, and gave him a momentary check at Warrington bridge. Charles advanced, summoned Shrewsbury, was refused admittance, and pushed on to Worcester, where he was proclaimed king of England, Scotland, France, and Ireland.*

* Clar. vi. 500.

It was now the question, and one truly momentous, whether Charles should strike at the heart of the commonwealth by making rapidly for London. The indifference of the people as he advanced, the fatigue and reluctance of his army, his profound awe of that terrible parliament which vanquished his father and brought him to the block, his fear of Cromwell, now in full pursuit, all decided Charles's council against this bold, and yet, perhaps, prudent resolution.

Worcester, lined by the Severn, and contiguous to the royalist Welsh, was not an ill-chosen centre of resistance and defence. But nothing short of a miracle could rescue Charles from the superiority, not only of genius but of force, with which Cromwell pursued, and now almost encompassed him. Cromwell, reinforced as he advanced through the north of England by Harrison, who was left there in command by colonel Robert Lilburne, after having annihilated a band of about 1500 royalists under the command of the earl of Derby; by Lambert and Fleetwood, whom he had ordered forward, with separate corps, to watch and harass the king's march; in short, at the head of 30,000 men, arrived before Worcester on the 28th of August. The king's army was reduced by sickness and desertion to little more than 16,000 men.

The first operation of the republicans was to gain possession of the passage over the Severn by Upton bridge. It was gallantly defended by a party of royalists under Massey, who had joined Charles in Scotland; but the vigour with which Lambert charged the bridge with his foot, whilst his horse forded or swam across the river, dislodged the royalists, and put the republicans in possession of both banks. Temporary bridges were thrown across the Severn, and Charles was now surrounded on every side. On the 3d of September, the anniversary of the battle of Dunbar, Cromwell gained the still more memorable victory of Worcester. The battle, fought at first on both sides of the river, was decided under the walls of the town. The royalists fought bravely, but

were overpowered, routed, and pursued pell-mell into Worcester by the republicans.

Charles, for some reason not distinctly known*, was not in the field. It is said that the din of arms and the confusion of flying troops, was his first notice of the battle, and even found him asleep from previous fatigue and want of rest. He however put himself at the head of the cavalry, which was yet unbroken, and endeavoured in vain to effect a rally. The royalists fled from Worcester in scattered parties of a few hundreds, leaving behind them 3000 slain, and 10,000 prisoners. Fifteen hundred men who held out in Fort Royal were put to the sword.

Among the prisoners made in or immediately after the battle of Worcester, were the duke of Hamilton, brother of the late unfortunate duke, lords Lauderdale, Rothes, Carnworth, Kelly, Kenmure, Sinclair, Spinie; generals Leslie, Middleton, and Massey; the English earls of Derby, Cleveland, and Shrewsbury. † Charles fled with only a few followers, and after six weeks of perilous and wandering adventure, escaped to France. ‡

Cromwell is said, but upon doubtful authority, to have been so elated by his success as to be dissuaded with difficulty from knighting Fleetwood and Lambert on the field. In his despatch to the parliament, he called it “a crowning glory;” and so indeed it proved to him.

The parliament, on its side, fomented his vanity and ambition with sufficient indiscretion to suggest to him, if he did not before entertain, the project of usurpation. It sent a deputation of four members, Whitelock and Lisle,

* It is said that he had resolved to escape from Worcester, as Hamilton did from Preston, with a chosen body of horse, and had no idea of giving battle.

† Of the prisoners, the duke of Hamilton died of his wounds; the earl of Derby was executed, with captain Benbow and sir Timothy Featherstonehaugh; Massey and Middleton escaped from the Tower; Lauderdale and Rothes remained some years in prison; Kelly, Kenmure, Sinclair, and Spinie, were excepted from the amnesty, and the wretched privates were given up to slavery in the West Indies and the African Guinea mines.

‡ See the account of his escape, given by himself, in Clarendon, vi. 413, &c. It is scarcely necessary to advert to his concealment in that “royal oak,” which servile philosophy translated to a constellation in the heavens.

keepers of the seal, St. John, chief justice of England, and sir Gilbert Pickering, a member of the council of state, to meet and congratulate him at Aylesbury, on his way to the capital ; ordered Hampton-court to be prepared for his residence ; and voted him an estate in land of 4000*l.* a year. Estates, descending in value from 2000*l.* to 300*l.* a year, were voted respectively to Ireton, Lambert, Monk, Whalley, and Okey.

This proceeding lowers the men of the commonwealth. There was nothing in it Roman or republican. The majesty of the senate and of the republic prostrated itself at the feet of one of its own servants, to whom it should have been a sufficient reward to be told that he had done his duty. Ireton, in whose character there was something antique, which procured him the distinction of a comparison with Cassius, acted worthily of himself. He declined the grant, with the observation, that the commonwealth should give precedence to the payment of its debts. It is stated by Ludlow, that the grant to Cromwell, in addition to a former one of 2500*l.* a year, was intended to keep him steady in his virtue and his duty.* But when was ambition ever restrained by gratitude ? Two things may be inferred — the conscious weakness of the more sagacious republicans, and their fear of Cromwell and his satellites. Among the distinctions conferred on him may be added the chancellorship of the university of Oxford. That of Cambridge was conferred on St. John.

Cromwell, it has been observed, left Ireton to complete the pacification or conquest of Ireland, Monk to complete that of Scotland. Ireton, following up his successes, reduced, among other places, Carlow, Waterford, and Duncannon. Limerick stood out a siege and several attempts to carry it by storm, but was reduced by dissension to a premature capitulation. Arms, ammunition, and provisions for three months, were surrendered to the victors.†

* Mem. i. 371.

† Ludlow, i. 372.

Twenty-two * persons were excepted from the capitulation. Of these, some escaped, others were condemned by court-martial, and executed. General Purcell, the deputy governor, sued for his life in the most abject manner, without success. The catholic bishops of Limerick and Emly were among the exceptions. The former escaped in disguise ; the latter died with great firmness, having summoned Ireton to an appeal beyond the grave, from the sentence which condemned him. Each was asked in turn what reasons he could give why the sentence should not be executed upon him. The answer of Jeffrey Baron deserves to be remembered. “ I,” said he to Ireton, “ have been engaged in the same cause which you pretend to fight for — the liberty and religion of my country.” Ireton replied, that Ireland being a conquered country, the English nation might, with justice, assert its right of conquest ; and as to religion, there was a wide difference between protestants, who tolerated other religions, and papists, who did not. † Here two reflections can scarcely fail to suggest themselves : — that treating Ireland as a conquered country was the chief treason for which the patriots brought Strafford to the block ; and that papists were not more intolerant in doctrine and practice than presbyterians.

These severities are the more dishonourable to the memory of Ireton, that they fell chiefly upon what was called the party of the nuncio, but was, in fact, the party of the nation, and much more inclined to the commonwealth than to Ormond and the king. ‡

* The numbers are variously stated ; by Ludlow (i. 370.), about seventeen ; Carte (Life of Ormond, ii. 155.), twenty-four ; and Godwin (iii. 288.), twenty-two.

† Ludlow, i. 375.

‡ Carte (Life of Ormond, ii. 155.) accounts for this inclination, by “ the great pains taken to insinuate to them that the independents were by principle against all violence in matter of religion, and were more charitable to the Roman catholics than the presbyterians.” One of the persons executed was a friar named Wolf, whom Mr. Godwin calls, in passing, “ a principal incendiary.” He was one of those who opposed a surrender ; and it is most probable that he used his spiritual influence over the superstition of the people. But was he therefore an incendiary ? Was he not warranted in using it against a most relentless enemy, to whom he was bound by no obligation of allegiance or country ? If there be a historian

Meanwhile, Clanricarde, to whom Ormond had given up a command which he held to little purpose, was unable to make head against colonel Axtel, whom Cromwell had left in the chief command of the province of Leinster, and sir Charles Coote, who advanced from Ulster into Connaught.

The barbarities of those two officers might be cited in passing, if barbarity were not then so common in Ireland as to be the rule, not the exception. Coote, having taken prisoner a catholic bishop, named Macmahon, to whom a year before he was indebted for his life, ordered him to be hanged. Axtel, having obtained possession of a strong post upon his promise of quarter, put his prisoners to the sword. Another officer, colonel Tothill, put a boatful of prisoners to death in cold blood.

Ireton, having reduced Limerick, proceeded westward, with the view to reduce the province of Connaught, and on his way died of the plague. His death recalled, to the excitable imaginations of the catholic Irish, the awful summons of the dying bishop of Emly.

The character of Ireton has suffered great injustice both in England and Ireland. The exceptions and executions of Limerick were in the spirit of European warfare and manners at the time; and if Coote, lord president of Ulster, was too well protected to be punished by him, he cashiered or removed Axtel and Tothill. Of his capacity and virtue there is decisive proof in the principles of government and scheme of reform which he put forth in parliament and to the world; but, above all, in the ascendant which the inflexibility of his virtue and the force of his character exercised over the ambition and genius of Cromwell. The resignation of Fairfax has been regarded as the first encouragement to Cromwell's usurpation. It is supposed

who might be expected to rise above the prejudices of religion and party, it is Mr. Godwin; but he has himself written, that impartiality is a virtue placed too high for man to reach, — its place being in heaven.

that, had Ireton lived, the ambition of the usurper would have stood rebuked in his presence, and his projects of usurpation have been unattempted. But what would have happened upon certain contingencies gone by, is the most vague and barren of all sorts of speculation.

1652. Ludlow, lieutenant-general and commander of the horse, succeeded to the authority of Ireton without his title of lord deputy, and completed the conquest of Ireland with the surrender of Galway. Fleetwood, son-in-law of Cromwell, was sent over to supersede Ludlow; and the pacification, so called, of Ireland was sealed by two of the most explicit exercises of the right of conquest,—expatriating the inhabitants, and disposing of the soil. The chief partition of the land was between two classes: the adventurers, so named, who had lent money upon the contingent security of estates *to be* forfeited by rebels in Ireland; and the officers and soldiers having claims for present service and old arrears. This was unquestionably a fair exercise of the power of the sword, as it was exercised by the Norman conquerors of Sicily and England; but what was justice or right in the rulers of the commonwealth in England and its lieutenants in Ireland should not have been visited as treason upon Strafford the lieutenant of the king.

The pacification thus produced was followed by numberless executions of persons against whom informations were brought for murders committed at the beginning of the Irish rebellion and since, upon the English.* It is easy to conceive the temptations held out to the malice and cupidity of informers; and the fearful uncertainty of proof, where the period was so long, and the country so agitated. One of the persons convicted was the mother of colonel Fitzpatrick, an Irish officer who had been permitted to transport himself and his followers to Spain. It was charged upon her that she said “she would make candles of the fat of the English;” and for this aggra-

* Ludlow, ii. 436.

vation the sentence pronounced and executed upon her was to be burned alive.* This was too much for words spoken, and by an old woman.

The chasm made in the population of Ireland by the sword, by expatriation, and by the scaffold, was filled up by the encouragement and importation of English settlers. Even the race of cattle was so thinned, that it was found necessary to permit the importation of cattle from England duty free. It would have been too expensive to expatriate, and too horrible to exterminate, the native Irish in mass; and, as an expedient of policy to prevent the English settlers from “the danger of being corrupted by intermixing with the natives in marriages or otherwise,” the Irish, not otherwise disposed of, were confined within the province of Connaught.

Whilst Ireland was thus incorporated with the commonwealth by subjugation, Scotland underwent the same process by a forced union. The two cases were essentially different. Ireland was an ancient appanage of the English crown, therefore appertaining to the dominion of the commonwealth; the Scots were, to all intents, an independent nation. But the union was imposed on liberal terms by the English parliament, and the two nations were so linked, especially since the accession of the house of Stuart, that the commonwealth could not suffer, with a due regard to its own safety, a king of Scotland pretending to the crown of England.

Monk, whom Cromwell had left behind him in Scotland, was no less successful in that kingdom than Ireton and Ludlow in Ireland. He took Stirling castle and Dundee by storm; and, in the latter place, put not only a great part of the garrison, but the governor, to the sword, in cold blood, after quarter promised.† Argyle, after holding out some months in the fastnesses of his country, sued for peace; and the parliament, in answer, sent down commissioners to dictate, under the pretence of arranging, the terms of

* Ibid. 443.

Brodie, iv. 314.

an incorporate union. The formal consent of eighteen out of thirty-one counties, and twenty-four only out of fifty-six cities and borough towns, was obtained. The recusants, according to Ludlow, “excused themselves for want of money to defray the expenses of their representatives.”*

The most active and envenomed opponents of the union were the clergy of the Scottish church. They denounced it as an invasion of the divine institution of presbytery, by which it was independent of all temporal power, and as introducing an impious toleration. But it would appear that the church in Scotland had, by this time, not only lost much of its influence, but become, to use the language of Mr. Brodie, “terrible and odious by the attempt to engross all civil as well as ecclesiastical power; and, under the pretence of ruling the consciences of men, and attending to their spiritual welfare, really ruling them with a rod of iron.”† Such is the language of a presbyterian and a Scotchman, surmounting, as a philosophic historian, in this instance, the partialities of both. It may be taken as an admission of the proximity in spirit of the Calvinist to the papal clergy, but it is rather one of those truths which may be generalised. The real induction is, that the clergy, whether papal, Lutheran, or Calvinist, however useful or necessary‡ to the well-being of Christian society, become, if uncontrolled by the supremacy of civil power, in the indulgence of their spiritual pride or selfish ambition, the worst tyrants of mankind.

A large portion, and it may be said, notwithstanding the consent given, a large majority, of the laity in Scotland were opposed, from higher and purer motives, to the union. Their resistance to a measure of which the prospective advantages were then apparent, and have since been realised, is treated

* Mem. i. 402.

† Hist. Brit. Emp. iv. 315.

‡ This necessity is not disproved by the moral conduct and social peace of some most respectable Christian sects, which do not admit a priesthood. It is, however, one of those subjects of which the skilful and complete analysis would be truly curious.

by later historians* as irrational, or as a prejudice of local attachment. But this is neither reasonably indulgent, nor, perhaps, philosophically just. That sentiment or instinct of love of country, which makes men cherish the existence of their particular nation as a unit of the community of nations on the map of the world, is the virtue of noble souls†, and the spring of great actions.

The parliament, by way of complement to the incorporation of Ireland and Scotland with the commonwealth‡, formed the grand but scarcely practicable conception of a republican union with the states-general of the United Provinces. It was probably suggested by the death of William II., prince of Orange, in 1651. The tyrannic ambition of the house of Orange was more undisguised and daring in that stadholder than in his more capable predecessors. He aspired to become an absolute king of the United Provinces, as his father-in-law, Charles, would be of England, Scotland, and Ireland ; and with the same result, except that he died unpunished. His widow gave birth to a posthumous child eight days after his decease. It occurred to the parliament, that the unpopular memory of the father, the helpless infancy of the son, and the abolition of the stadholdership — an office associated, in its very name, with the tyranny of Philip II.,—through the influence of the republican party, favoured the projected union. But the party of the house of Orange, supported by the populace and the clergy — the republican party actuated by views of commercial policy and patriotism — opposed the project ; a war ensued ; and the infant, whose succession was thus endangered, lived to dethrone once more and for ever the house of Stuart in the person of

* See Brodie, iv. c. 12. Godwin, iii. c. 19.

† Voltaire, in one of his tragedies, puts into the mouth of a patriot exile, who has just landed on his native shore, this touching moral truth :—
“*A tous les cœurs bien nés que la patrie est chère !*”

‡ The reduction of the Isle of Man, which the celebrated countess of Derby held for the king after the capture and execution of the earl, and of the isles of Jersey, Guernsey, and Scilly, soon followed.

his uncle and father-in-law, James II., to put the crown upon his own head, and to fill Europe with his fame, as William III. king of England. The war with Holland requires, by way of introduction, a glance in retrospect at the relations of the commonwealth with foreign powers, and the state and strength of its navy.

The affairs of the naval committee were directed ashore by the administrative capacity and zeal of Vane; and its orders executed at sea by Blake, whose naval renown, now begun, soon eclipsed his military defence of Taunton and Wells.

Blake, like Cromwell, received an academical education, devoted his early and mature years to the arts of peace, and was still older than Cromwell when he first took arms in the cause of liberty. His first commission was to attack prince Rupert, who made war — half pirate, half partisan — upon English commerce, with the revolted ships which did not return to their obedience. Rupert was chased or followed by Blake from the southern coast of Ireland to the mouth of the Tagus. Blake landed an envoy from the commonwealth *, and upon the refusal of the king of Portugal to permit his attacking prince Rupert's squadron in the harbour, attempted to force his passage up the river. His strength was insufficient to return the fire of the land batteries; he abandoned the attempt; the admiralty soon reinforced him, and he made severe reprisals upon the Portuguese.

The apathy with which the king, or council, rather, of Spain viewed the civil war, was disturbed by the execution of the king, and the representations of Cottington and Hyde (lord Clarendon), sent as envoys to Madrid by Charles II., already so called by a violent fiction of law, which history seems to have adopted in the face of reason and fact.[†] The Spanish minister Cardenas, however, remained in London as a private person, and continued to represent the government of the commonwealth fa-

* Charles Vane, brother of sir Henry.

† He was, by right, Charles II. king of Scotland.

vourably to his court, either from personal offence given him by the late king, or from the sagacity of views which distinguished the Spanish diplomatists. Upon his suggestion, Anthony Ascham was sent out as envoy, received with due honour by the authorities at Cadiz, and assassinated by a ruffian band of English royalists on his arrival at Madrid, like Dorislaus at the Hague.

The murderers, of whom one was in the service of Hyde, fled for sanctuary to a church, were notwithstanding brought to trial and condemned, but surrendered by the lay tribunal for execution to the church. All, however, were permitted to escape, except one, who was a protestant; or, perhaps, the only protestant of the party who refused to save his life by abjuration. This reparation, however, with the dismissal of the envoys of Charles, satisfied the commonwealth; and Rupert, chased by Blake from the shores of the Peninsula to the West Indies, returned to Europe with only two shattered vessels, which he sold to cardinal Mazarin. Hostilities with Spain had not formally begun, and don Alonzo Cardenas produced his credentials as ambassador to the commonwealth from the court of Madrid. The king of Portugal, himself raised from the dukedom of Braganza to the throne by a murderous conspiracy, affected more fastidiousness; his envoy was ordered to quit England, and the vengeance of the commonwealth continued to fall heavily upon the trade of his subjects.

A petty war of mutual prohibitions of goods and produce, and reprisals at sea, was carried on between France and England. France had no naval power till the age of Louis XIV. and Colbert. The French navy, begun by Richelieu, was ruined by Mazarin; and that monarchy, which in a few years after astonished Europe by its wealth, pomp, and power, was now reduced, by war with Spain and the *Fronde*, to such distress, that the queen-mother pledged the crown jewels to money-lenders; the young king discharged his pages through inability to maintain them; Henrietta, late queen of England, and her daughter, were in absolute want of

clothing, food, and fuel* ; and France could not equip ten ships of war.† The United Provinces had the address to crown the recognition of their sovereign independence and their peace with Spain in a separate branch of the treaty of Westphalia ‡, without giving umbrage to France ; and thus, tranquil and neutral in the midst of war and discord—frugal, industrious, and, above all, free—were in a condition to meet the younger, more ambitious, and more powerful commonwealth of England with a maritime force of 100 ships of war.

It was not till the beginning of 1651, under the circumstances already stated, that a successor to Dorislaus was sent to the Hague. The importance of this mission rendered it necessary to send one of the leading statesmen of the commonwealth. St. John was the person chosen ; Strickland, who had long been agent for the parliament at the Hague, was joined with him. On the 20th of March they had their audience of reception with all possible ceremony from the states-general ; but soon found that their proposed union, disguised sometimes in the diplomatic papers under the names of “ confederacy,” “ coalition,” and “ more intimate union §,” was met with a feeling of hopeless alienation. Even the republican patriots, released from the castle of Louvestein || upon the death of the late prince of Orange, saw in it the merging of the continental in the great insular commonwealth.

* “ On fut obligé de mettre en gage chez des usuriers les piergeries de la couronne. Le roi manqua souvent du nécessaire. Les pages de sa chambre furent congédées, parce qu'on n'avait pas de quoi les nourrir. En ce tems-là même la tante de Louis XIV., fille du Henri le Grand, femme du roi d'Angleterre, réfugiée à Paris, y était reduite aux extrémités de la pauvreté ; et sa fille, depuis mariée au frère de Louis XIV., restait au lit, n'ayant pas de quoi se chauffer.” — Voltaire, *Siecle de Louis XIV.*

+ Voltaire, *Siecle de Louis XIV.*

† The parties to this famous treaty were France, Sweden, and the Empire. It was concluded in 1648, when Charles I. was a prisoner ; and the parliament, intent only on his fate and the settlement of the government, did not even take cognisance of the negotiation. Hence no notice has been taken of it in the transactions of the year.

‡ Thurloe, State Papers, i. 179. 183. 188. 190. &c. Thurloe attended St. John as private secretary.

|| The republican opponents of the house of Orange were henceforth called the Louvestein party ; and by Burnet—with what can be justly called by no other name than impudence—the Louvestein *faction*. The head of this “ faction,” be it remembered, was John de Witt.

Six weeks only were assigned by the parliament as the term of the negotiation. The moral certainty of failure was soon visible, and the haughty spirit of St. John was further irritated by a personal outrage offered him publicly at the Hague by a younger brother of the princes palatine. The insolent and dastardly offender pleaded his privilege as a prince of the empire, and fled.

St. John took his leave of the states-general with the pride and frankness of a Roman ambassador addressing the senate of Carthage. “I perceive,” said he, “that you are waiting the issue of our war with the Scotch*; and some members of our parliament advised that we should first finish that business — as we soon shall — and then expect your envoys on our shores. I thought better of you, and have misjudged; but trust me you will soon repent your rejection of the offers which we have made you.”†

The first step in execution of this menace on the return of St. John, was the passing of the famous navigation act, so long revered and cherished as the main cause of the maritime power of England, and so lately abandoned to a better knowledge of the philosophy of trade. A measure, however, which gave a monopoly to English vessels was grievous to the Dutch, who had the chief share in the carrying trade of Europe. The next was to grant letters of marque to English merchants, who, having received injury from the Dutch, soon made severe reprisals. The states-general upon this sent over three envoys, of whom one was Catz, late pensionary of Holland, to re-open negotiations not expected to succeed. Meanwhile Van Tromp, admiral of Holland, entered the channel with a well-appointed fleet of 30 sail.

The naval genius and maritime power of England were eminently displayed in the reign of Elizabeth; yet the kingdom, during her life, had but the second station as an European power. Were her successors

* The battle of Worcester had not yet been fought.

† Vie de Jean et Corneille de Witt.

worthy of her, England would have risen to the first rank upon the descent of Spain. But James and Charles were distinguished chiefly for their aptitude to neglect or neutralise great national resources, natural and moral ; and Richelieu, having humbled Spain, the Empire, the huguenots, the French nobles, and the French court itself, erected France, for a moment, into the first power of Europe. Under James, the navy was wholly neglected. Charles seemed better disposed at the commencement of his reign ; but Buckingham, as high-admiral, was incapable, and the commons could not trust the king with the necessary supplies.

The navy owed its regeneration and force to that which might be expected to prove fatal to it—the civil war. The parliament soon created a fleet, as well as an army ; but the former inferior in organisation and discipline. A severe shock was given to the naval power of the commonwealth by the revolt in the Downs ; and the committee of the admiralty had only 20 sail in the Downs when Van Tromp appeared with 40 in the Channel. But this small fleet was commanded by Blake.

Van Tromp, a devoted partisan of the house of Orange, refused to lower his flag to that of England within the narrow or British seas, and the result was an irregular cannonade of about four hours. Blake's own ship suffered severely ; but the Dutch lost two vessels, of which one was sunk, the other taken. This first encounter of two famous admirals took place in the Channel on the 19th of May, 1652.

The Orangists rejoiced at the increased chances of war between the two commonwealths ; but the states-general sent over De Paw, grand pensionary of Holland, with a message of explanation. The matter was in train, when the Dutch ambassadors, through the descendant of the Orange party in Holland, were recalled.

The English parliament, on the 19th of July, published a declaration of war, trusting, they said, for success to God and their just cause. Charles II. pro-

posed to go on board the Dutch fleet, with the assurance that his presence would produce desertion from the commonwealth ; but the prudent Dutch would not commit themselves with the fortunes of a fugitive and fictitious king, and his offer was declined. The declaration of war was immediately followed by the return of sir George Ayscough with his squadron from the West Indies. Still the two fleets of Blake and Ayscough were not only far below the enemy in number, but insufficiently manned. The latter deficiency was instantly supplied by a measure which proves at once the genius, in emergency, of the republican government, and the public spirit and admirable discipline of the republican army. Men were drafted by quota from the infantry regiments, and put on board the fleet. Blake and Ayscough, cruising separately with their respective fleets in the Channel, fell in with large numbers of Dutch merchantmen strongly convoyed, of which they captured or destroyed the greater portion ; whilst Van Tromp, who had now 100 sail, having vainly endeavoured to come to action with either of the English admirals, encountered a storm which dispersed his fleet, and obliged him to return to port.

It would appear that Van Tromp fell into disgrace. The populace, however devoted to the house of Orange, forgot the partisan in the unfortunate commander ; and De Ruyter, a name illustrious in naval war, and no less deserving of fame as a republican patriot, was immediately sent out with a small force to protect the Dutch trade. He encountered Ayscough off Plymouth ; and the result was an action of doubtful issue, fought on both sides with the utmost resolution. De Ruyter was soon reinforced, and again met the English fleet off the coast of Kent, commanded by Blake. They engaged on the 28th of September, again without decisive advantage, but with considerable loss on both sides. It was about this time that Dunkirk surrendered to the Spaniards, in consequence of the capture of a French squadron proceeding to its relief by Blake.

Van Tromp was restored to the command, and re-

appeared in the Downs in November with a fleet of 80 sail; he sought Blake, and, on the 29th of November, offered him battle. The English admiral had detached, on various services, a considerable portion of his fleet: 37 ships only remained under his immediate command, and even these were not in proper fighting order. But the notion of Blake, that the English flag must not decline the challenge of an enemy, whatever his advantages—since become an article in the creed of the British navy—and the advice of his officers, it is said, coinciding with his own, determined him to engage. The battle was fought with the utmost gallantry on both sides for about five hours, when night came on, and enabled Blake to abandon the fight and escape into harbour with the loss of two ships, and others in a shattered state. Blake's ship was the most forward and fiercely engaged, and he was himself wounded.

This disaster was grievously felt in England. It was turned against the governing party in the commonwealth, by its enemies of every shade, from the royalists to Lilburne.* The Dutch were no less elated; and their admiral, Van Tromp, cruized in the Channel with a broom at his mast-head, by way of proclaiming his mission to sweep the English navy from the seas. He has been described as a person of drunken habits and brutish character†, and his insolence was soon chastised.

The government of the commonwealth made such skilful and strenuous efforts during the two winter months of December and January, that Blake was again afloat in February with 80 ships of war, well equipped and officered. The same man might be still, as in the time of Elizabeth, a distinguished officer in both services, and Blake had in command under him colonels Dean and Monk. On the 18th of February, he fell in with the Dutch fleet of about the same force, convoying a fleet of merchantmen of 300 ships‡, off the Isle of

* This may be seen by reference to the pamphlets of the day.

† Thurloe, State Papers, i. 331.

‡ Letter from the three admirals, &c., Parl. Hist. iii. 380.

Portland, under the command of Van Tromp. The two commanders and their fleets encountered each other with every motive of national and personal rivalry to render the strife one of death or victory. This famous battle accordingly was fought and renewed through three successive days, and at the end of the third day the triumph of the English was complete. Blake captured or destroyed 11 ships of war and 30 merchantmen, slew 2000 men, and took 1500 prisoners.* De Ruyter served under Tromp in this action; and they are described by the English admirals as having made a skilful retreat.† Blake's ships suffered severely, but only one was sunk, and after her crew had been brought away. The number slain is stated as nearly equal to that of the enemy.‡ Thus glorious was the close of the fourth year of the commonwealth.

* Letter from the three admirals, &c. Parl. Hist. iii. 380.

† Ibid.

‡ Ibid.

CHAP. V.

1653, 1654.

GOVERNMENT OF THE REPUBLIC.—AMBITION AND APOSTASY OF CROMWELL.—HIS VIOLENT DISSOLUTION OF THE LONG PARLIAMENT—AND OF THE COUNCIL OF STATE.—BAREBONES, OR THE LITTLE PARLIAMENT.—IT GIVES BACK ITS POWERS TO CROMWELL.—INSTRUMENT OF GOVERNMENT.—THE PROTECTORATE.—FOREIGN RELATIONS.—WAR WITH THE DUTCH.—NAVAL VICTORY OF MONK.—OPPOSITION TO THE PROTECTOR—EASILY OVERCOME.—SUBMISSION OF SCOTLAND AND IRELAND.—CRIME AND EXECUTION OF DON PANTALEON SA.—TREATY WITH THE DUTCH.—RELATIONS WITH OTHER STATES.—CHRISTINA QUEEN OF SWEDEN.—ROYALIST AND REPUBLICAN CONSPIRACIES.

1653. THE English commonwealth, in the short period of four years from the abolition of kingship, has left a surprising example of the forces inherent in republican government. Talents and virtues which would otherwise remain inert and unknown, were called out by the civil war, and the fittest persons were thus ready to be employed in every department of the public service.* In a republic, the strife for place and power may be as strongly marked by cabal and corruption as in a monarchy; but, whatever men's morals, their faculties must in the former be on a level with their ambition. In a monarchy, on the other hand, birth, title, bribery, depravity, will decide the

* It was not merely the tendency of the form of government, but the public spirit and integrity of the republican leaders, that produced this effect. Roger Coke, no friend to the commonwealth, says (ii. 30.), "And, to say the truth, they were a race of men most indefatigable and industrious in business, always seeking men fit for it, and never preferring any for favour or by importunity."

choice of a public servant, without regard to fitness. The question is not so much the sufficiency of the person for the duties of the office, as the sufficiency of its emoluments for his luxurious wants, vanities, and pretensions.

It must yet be admitted, that the republicans, with all their ability and virtue, did not take proper measures for securing the stability of the republic or the freedom of the people. They administered the government with admirable talents, but they did not embody their principles in new political institutions, and they were, therefore, wanting in their first duty as the founders of a free commonwealth.

It is true that two thirds of the nation, cavaliers and presbyterians, were monarchists; but the remaining third of republicans had moral advantages which went some way in re-adjusting the balance of numbers; and this numerical disparity only rendered it more imperative upon them to re-cast the municipal system, to re-mould opinion, to create new interests and a new spirit which should enlist themselves in support of the new order.

They even made destructive though but partial inroads upon the most popular and cherished matters of procedure and sanction in English jurisprudence. They substituted special commissioners* for the regular tribunals; and the enactment by which they changed sedition into treason was, it has been observed, so abhorrent to the honest sense of the English jury who tried Lilburne, that they acquitted him in despite of the clear law of the case.

The disposition of the long parliament to perpetuate itself has been vindicated by reference to the circumstances of the nation. A dissolution, it is said, would subvert the new republic. But whilst the republicans guarded thus studiously against the restoration of the Stuarts, they did not even recognise — so far were they from providing against — the greater danger to the

* *Trial par commissaires* was odious even in France. See the famous pleading of Pelisson for the intendant Fouquet.

commonwealth, from an ambitious usurper, nurtured upon its own bosom. The same ordinance which dis-inherited the children of the late king, should have devoted the blood of a dictator to be shed, his house to be rased, and his name to be infamous.* Such a warning, in the form of a solemn and fundamental law of the republic, might perhaps have appalled the paricide ambition, and daring spirit of Cromwell.

That famous usurper now practised with the subtlest art against the commonwealth which his capacity and virtue had so much share in forming.

It seems impossible to fix the precise time when Cromwell first aspired to the supreme power. Some writers suppose him actuated by views of usurpation in voting the trial and the death of Charles I.† But the supposition is groundless. The ambition of Cromwell grew inordinate by degrees with his subsequent successes. His behaviour after the battle of Worcester waked the suspicion of Hugh Peters. “That man,” said the republican chaplain, “would make himself our king.”‡ The translation of Ireton’s remains from Ireland to be buried in Westminster Abbey is regarded by Ludlow§ as a proof that Cromwell’s designs were then formed, and known to his family.||

* There was, in the ancient republics, a fearful barrier against usurpation. “Il y avait,” says Montesquieu (*Grandeur des Romaines*, c. xi.), “un certain droit des gens, une opinion établie dans toutes les républiques de la Grèce et de l’Italie, qui faisait régarder comme un homme virtueux l’assassin de celui qui avait usurpé la souveraine puissance. A Rome surtout, depuis l’expulsion des rois, la loi était précise, les exemples reçus. La république armeait le bras de chaque citoyen, le faisait magistrat pour le moment et l’avouait pour sa défense.”

† Voltaire, who is sometimes glaringly unjust to Cromwell, says of him on this point:—“S’il avait formé delors (at the execution of Charles I.) le dessein de se faire reconnoître pour le souverain de trois royaumes, il n’aurait pas mérité de l’être. L’esprit humain, dans tous les genres, ne marche que par degrés, et ces degrés aménèrent nécessairement l’élévation de Cromwell, qui ne la dut qu’à la valeur et à la fortune.”—*Essai sur les Mœurs*.

‡ Ludlow, ii. 447.

§ Vol. i. 384.

|| “Some,” says Ludlow, “of general Cromwell’s relations, who were not ignorant of his vast designs now on foot, caused the body of the lord deputy Ireton to be transported into England, and solemnly interred at Westminster in a magnificent monument at the publick charge; who, if he could have foreseen what was done by them, would certainly have made it his desire that his body might have found a grave where his soul left it, so much did he despise those pompous and expensive vanities: having

About the time (December, 1651), when the son-in-law of Cromwell was thus buried amid the tombs of kings, he summoned a meeting of the leading members of the house of commons and the army at the speaker's house, and proposed for their consideration the settlement of the nation and the form of government. Among the persons named as present are Whitelock and Widdrington, keepers of the seals; Lenthall, the speaker; St. John, chief justice; Fleetwood, Harrison, Whalley, and Desborough. Whitelock said the point at issue was between a pure republic and mixed monarchy; upon which Cromwell instantly declared that the lord commissioner had started the right point. Widdrington expressed himself in favour of monarchy, to be vested of course in one of the late king's sons, for instance, the young duke of Gloucester. Lenthall and St. John thought the government should be "something monarchical." Whitelock agreed with Widdrington, and went so far as to suggest that the duke of York or prince of Wales might be called, under restrictions, to the crown. Fleetwood and Harrison spoke vaguely of the importance of the matter. Desborough and Whalley expressed their frank abhorrence of any government partaking of monarchy.* Cromwell is described by historians as having called this meeting to discover men's views for his future direction. He did more; he revealed his own purposes when he said that "a settlement with somewhat of monarchical power in it would be very effectual."†

It is obvious that the pretension of a military servant and simple citizen of a republic to call such a meeting was, if the ancient phrase may be used, to affect tyranny; that the question which he dared to propound, was a conception of treason against the commonwealth; and

erected for himself a more glorious monument in the hearts of good men, by his affection to his country, his abilities of mind, his impartial justice, his diligence in the publick service, and his other vertues, which were a far greater honour to his memory, than a dormitory amongst the ashes of kings."—*Ludlow*, i. 384.

* Whitelock, Mem. 516, &c.

† Ibid. 517.

that, in his remark last stated, his purpose to assume the dictatorship was confessed. The republicans, nevertheless, did nothing worthy of them to ward off the danger, and bring the traitor to justice. This derogates grievously from their reputation with posterity, and is not easily reconciled with their previous character.

The first measure conservative of the commonwealth, adopted by the parliament, was a bill limiting its own duration to the 3d of November, 1654. The reluctance of the parliament to dissolve itself was represented by Cromwell to the republican officers as conclusive proof of a design to perpetuate an oligarchy of politicians.* He appears to have been silenced for a moment by the bill just passed, but it proved a feeble defence against his artifices and audacity.

The parliament appointed Lambert to the government of Ireland in the room of Ireton, but without the title of lord deputy.† He rejected the appointment in disgust. Cromwell, by secretly playing upon the vanity of Lambert, incensed him against the parliament, and his son-in-law ‡ Fleetwood was sent to Ireland as lieutenant-general. His chief strength lay in the army, amounting, at the period of the battle of Worcester, to about 35,000, horse and foot. The ascendant of his victories and character placed the mass of the army at his disposal, and he duped the integrity and enthusiasm of the republican officers by his profound dissimulation.

The most obvious mode of weakening Cromwell was reducing the military. It was accordingly adopted, but not with sufficient energy and expedition. Cromwell,

* Ludlow, ii. 449. Mrs. Hutchinson, *Life, &c.* ii. 196.

† Cromwell having resigned the chief government, the existence of a deputy would be a practical solecism, and the title was in consequence abandoned.

‡ The marriage is said to have originated in a curious adventure. Fleetwood met the widow of Ireton in tears, and learned from her that her grief was caused by her being forced to give precedence to the wife of Lambert in St. James's Park. He was in mourning as a widower, the lady as a widow: the offer of his hand was made and accepted on the instant, and the lady thus restored to precedence as the wife of the lieutenant-general of the commonwealth.

meanwhile, had taken his measures : he carried through the house an act of amnesty so indulgent, that the republicans opposed it as endangering the commonwealth. Their opposition only enabled Cromwell to exhibit them in the light of men intent upon proscription and confiscation, whilst his lenity conciliated the monarchists. The threatened reduction of the army was easily rendered odious to the army and its officers. Cromwell, who had retarded this measure by his authority and artifices, met it now, not directly, but with an antagonist petition from the council of officers, demanding a reform in religion, law, and government, and especially an early dissolution of the present parliament. Some members murmured at what they called military dictation*; but the parliament was defenceless and weak, the army strong, and the petition was referred to a committee.

Cromwell's resolution was taken, and his machinery prepared, towards the close of the year 1652. He appears unresolved only as to the form and title under which he should usurp the sovereign power. Whitelock, a discreet time-server of decorous reputation and useful talents, appeared to him a person who might be easily gained and advantageously employed. They met by design or accident on the 8th of November, in St. James's park, retired to one of the more private walks, and held a conference, which Whitelock professes to record with literal fidelity. Cromwell began with the discontent of the army at the selfishness of the parliament, and asking the advice of Whitelock. The latter made a faint defence for the parliament, and intimated that they, who like Cromwell recognised its authority, could not now curb or question it. "What," said Cromwell abruptly, "if a man should take upon himself to be a king?"—"The remedy," replied Whitelock, "would be worse than the disease." He then urged

* Whitelock mentions (Mem. Aug. 1652), that he suggested the danger of such proceedings to Cromwell, who made very light of it.

that Cromwell already possessed all but kingly power, and that title would but expose him to danger and envy. Cromwell reminded him of the statute of Henry VII. respecting a king *de facto*, which was in such favour with lawyers. The reply of Whitelock was, that the only question then would be between a Cromwell and a Stuart, and again advised the restoration of Charles, prince of Wales, with such conditions as would secure the fortune of Cromwell. This suggestion, if made, only proves Whitelock a person of little sagacity. Charles and Cromwell could neither safely trust nor be effectually bound to each other. Cromwell broke off the conference ; and, to remove a rival from his path, sent the young duke of Gloucester out of the kingdom.

Various facts indicate the ambitious ferment in the bosom of Cromwell. He declared to quarter-master-general Vernon, with real or affected * emotion, that he was pushed on to do that of which the issue made his hair stand on end. The march of the parliament, with the two bills for its own dissolution, and the reduction of the army, was irresolute and slow ; whilst Cromwell, almost without disguise, caballed with the members of parliament, officers, and preachers, who were either his dupes or his partisans. It was suggested to him that nine tenths of the nation would be adverse to him. “ Very well,” said he ; “ but if I disarm nine, and put a sword in the hand of the tenth man, will not that do the business ? ”†

The most numerous and important of those meetings in conclave was held on the 19th of April, at Cromwell’s apartments at Whitehall. It was composed, as hitherto, of members of parliament and officers. The officers rejected the pending bill for a dissolution within eighteen months, insisted upon an immediate election, and pro-

* Ludlow (ii. 449.) mentions it as an example of his hypocrisy.

† Villemain, Hist. de Cromwell. He refers to the Life of Oliver Cromwell, as his authority ; but there is nothing on the subject in Harris’s Life, &c., which is the “ Life ” most frequently quoted by him.

posed that the supreme power should be vested meanwhile in a new council.* This scheme is supposed to have been dictated by Cromwell : it was supported by St. John ; opposed by Whitelock and Widdrington.† The meeting adjourned over to the following day.‡

Next morning the parliament seems to have designed to anticipate or defeat Cromwell, by hurrying the dissolution bill through its last stage that day. § Harrison, who was a member, suggested that such haste would offend Cromwell and the council of officers. The assembly which tolerated that language was no longer free. Cromwell, and the adjourned cabal of the preceding day, had meanwhile resumed their deliberations. Ingoldsby came from the house and told Cromwell that there was not a moment to be lost—if he was resolved to act. The members present proceeded to take their places in parliament ; Cromwell soon followed, attended by Lambert and a few other officers. The house rushed to the last stage of the bill, omitting some forms. Cromwell, having sat in silence for some minutes, beckoned

* Whit. Mem. 554.

† Ibid.

‡ It would appear, that though Cromwell had gained over Harrison and other officers, who were enthusiastic republicans, others manifested disinclination. Major Streeter protested against Cromwell's becoming sovereign, as the price of so much blood ; upon which Harrison interrupted him by saying, Cromwell was no "self-seeker," and had in view only "to establish the rule of Jesus." Streeter rejoined, that "unless Jesus came very suddenly, he would come too late." This is told by Echard, and other writers of that school, who, however, adopt very loosely any thing that tells in their favour.

§ There appears to be no copy of this bill extant. The following account of it is given by Ludlow :—"The act for putting a period to the parliament was still before a committee of the whole house, who had made a considerable progress therein, having agreed upon a more equal distribution of the power of election throughout England. And whereas formerly some boroughs that had scarce a house upon them, chose two members to be their representatives in parliament (just as many as the greatest cities in England, London only excepted), and the single county of Cornwall elected forty-four, when Essex, and other counties bearing as great a share in the payment of taxes, sent no more than six or eight ; this unequal representation of the people the parliament resolved to correct, and to permit only some of the principal cities and boroughs to chuse, and that for the most part but one representative, the city of London only excepted, which, on account of the great proportion of their contributions and taxes, were allowed to elect six. The rest of the 400, whereof the parliament was to consist (*besides those that served for Ireland and Scotland*), were appointed to be chosen by the several counties, in as near a proportion as was possible to the sums charged upon them for the service of the state, and all men admitted to be electors who were worth 20*l.* in lands, leases, or goods."—Ludlow, ii. 435, 436.

Harrison to him, and said, in a hurried tone, “ Now is the time ; I must do it.” Harrison advised him to consider. He resumed his seat for a few minutes, then started up, loaded the parliament with reproaches, and told them they had sat too long. As if astonished by his own audacity, he paused for a moment, and resumed,—“ You think, perhaps, that this is not parliamentary language ; I know it.” The tyrant descended from his seat, paced the floor, chafing with rage, stamped vehemently, and was surrounded on the instant by soldiers with their arms ready. He continued,—“ You are no parliament ; begone—give way to honester men.” Sir Henry Vane, sir Peter Wentworth, and other members, attempted to speak. He silenced them on the instant, and reproached them individually ; some, as Marten, Challoner, and Wentworth, with their dissoluteness. “ This,” said Vane, “ is not honest.” Cromwell replied,—“ Sir Harry Vane, sir Harry Vane,—the Lord deliver me from sir Harry Vane!” Alderman Allen said that if he would withdraw his soldiers all might be repaired. Cromwell had passed the rubicon, and replied by accusing the alderman of embezzlement. He again commanded the members to begone. Harrison forced, or rather led the speaker from the chair gently by the hand : Lenthall wanted firmness, or betrayed his duty. Algernon Sidney seemed disposed to resist, and was forced out. “ Take away that bauble,” said Cromwell, casting his eye on the mace. The house was easily cleared ; or, as Whitelock expresses it, “ though many wore swords, not one was drawn, and all departed tamely.” The tyrant who acted this “ swelling scene,” surrounded by the pomp and force of military array, was himself clad in a plain suit of black, with—if this particular may be added to finish the picture—grey worsted stockings. He ordered the door to be locked, took away the key, and returned to Whitehall the dictator of the three kingdoms.*

* A placard, bearing the words “ This house is to be let unfurnished,” appeared on the door next morning.

Cromwell found the council of officers still assembled ; he told them what he had done. "When," said he, "I went to the house, I did not think to have done this ; but, perceiving the spirit of God strong upon me, I would no longer consult flesh and blood."*

The council of state remained to be broken up. Cromwell, attended by some officers, proceeded to Derby House, and found them sitting. He told them they must be aware of what had passed ; that the parliament was dissolved ; that, as a council, they ceased to exist ; but that, as private persons, they might if they chose remain where they were. Bradshaw the president made a calm protest, of which the courage has been over-rated, and retired with the other members.

Thus fell the commonwealth by the parricidal hand of Cromwell. A severe judgment is recorded against it in the fact that it fell without regret. The government which succeeded under that name was a military dictatorship. The domestic rule of Cromwell, however, was not without its merits ; and, in his foreign policy, he eminently displayed the genius of the nation and his own.

Cromwell found that he had still resistance to overcome. Not only the republican statesmen, of whom Vane may be called the head, but the officers of the army, abhorred the government of a single person. Whitelock, St. John, and the higher class of lawyers, were favourable to monarchy, from the habits and studies of their profession — for the genius of English law is essentially monarchical, — the whole brood of inferior lawyers, from a dread of law reform, which would disturb their routine, and from that stunted frame

* Mr. Godwin (lil. 456.) calls this "a memorable example of delusion." Cromwell's religious notions were doubtless enthusiastic and visionary ; and it is alike inconsistent with philosophy and facts to suppose him a systematic hypocrite. But this measure had long been prepared by him with the profoundest artifice ; and his alleged perception of the spirit of God can scarcely have been any thing but hypocrisy. What but hypocrisy enabled him to dupe the religious and republican enthusiasm of Harrison, Rich, and Overton ?

of mind which cannot comprehend the administration of criminal justice without an indictment in the name of our lord the king. The prudent dictator reined in his ambition, postponed its consummation, and affected not only republicanism, but a disinterested and modest dread of the burthen which he had imposed on himself. He expressed his desire that Whitelock, Selden, and St. John should immediately prepare an instrument of government which should relieve him of his responsibility. "The way, sir," said major Salway, in reply, "to free you from temptation, is for you not to look upon yourself to be under it, but to rest persuaded that the power of the nation is in the good people of England, as formerly it was." * This suggestion was doubtless far from agreeable to him.

His first act was to issue a declaration or defence of what he had done. It was chiefly employed in exaggerating the faults and slandering the character of the late parliament; and ran in the name of the general and the officers who openly usurped that sovereignty which, according to the grand principle of the revolution, was, to repeat the words of major Solway, in the good people of England. A second declaration soon followed in the same strain; and, on the 30th of April, Cromwell issued a third declaration in his own sole name, as captain-general. It contained but a few lines (he already affected the brief style of despotic power), and merely announced the appointment of a provisional council of state, or government.

This council had sat on the 29th, and the dictator does not condescend to give the names in his declaration of the 30th. Lambert and Harrison were of the number †, and appear to have been the chief auxiliaries or instruments of Cromwell.‡ His main charge against the late parliament was, that in its bill of dissolution

* Ludlow, ii.

† Memorandum of the Dutch ambassadors, in Thurloe's State Papers, i. 365.

‡ The other members were Desborough, Stapely, Sydenham, Jones, Tomlinson, Bennett, Pickering, Strickland, Carew, Moyer.

care was taken to perpetuate itself, not only by continuing the actual members without re-election, but by reserving to them the power to decide the fitness of the persons returned.

The vindication of the republicans was, that they thought the constituency could not be safely trusted ; that the mass of the people was not sufficiently divested of prejudice and advanced in reason to appreciate a free commonwealth ; and that the result of a general election in the ordinary way would be a restoration.*

Cromwell, by his conduct, confirmed this view, and exhibited his own ambition, self-convicted of perfidious falsehood. He did not hazard an election, however restricted. Acting as if the whole sovereignty, legislative and executive, resided in his person, he issued writs in his sole name to 139 persons for the counties and the capital of England, 6 for Wales, 5 for Scotland, and 6 for Ireland, to present themselves at the council chamber on the 4th of July, and take upon them the trust of providing for the future government of the commonwealth. In this list of representatives there are two names which have obtained a remarkable and widely different celebrity,— Sir Anthony Ashley Cooper, and Praise God Barebone.†

About 120 of the persons named met Cromwell at Whitehall on the day appointed, in obedience to his mandate. Cromwell, having addressed them at great length in defence and explanation of his conduct, surrendered to them, at least in form, the supreme power. His speech was profoundly artful, under a veil of religious mysticism. He appealed to their unexpected

* The bill, it has been already observed, is not extant, and it is uncertain what was the precise plan contained in it.

† The name of this person has been a favourite theme of pleasantry and ridicule to royalists, tories, and high churchmen. Mr. Godwin, on the authority of four contemporary lists, writes Barbone, and suggests that the baptismal name of "Praise God" is scarcely more fanatical than that of *Deodatus*, which is to be found in the records of most countries of Europe. The name suggests ridicule only from the vernacular familiarity of the compound, associated with the idea or image of bare bone, which Voltaire has translated into *os décharné*. Praise God might be exalted, by translation, into the classic Timotheus, which is itself vulgarised by association into Timothy.

meeting — “not known by face one to another” — as a proof that “they were called by God to rule for him and with him ;” thus playing upon the religious enthusiasm of the assembly and the age, he gave a sort of prophetic or theocratic character to his disregard of the representative principle and elective franchise, and recommended, in perfect good faith, one of the most beneficent and sacred principles of government — religious liberty.* Having concluded his speech, he placed in their hands a parchment, bearing his seal, and conveying to them “the supreme authority, to which all within the three kingdoms should yield subjection and obedience.” It provided that they should sit until the 3d of November of the year following, to be then succeeded for one year only by a second assembly, also provisional, but charged with the permanent settlement of the government. The whole scheme may be regarded as mere puppet-work, set up by Cromwell for his purposes.

This anomalous assembly met for the despatch of business on the 5th of July, elected Francis Rous speaker, continued Scobell, clerk of the late parliament, in his functions, invited Cromwell and the general officers of the army to sit and deliberate with them, and came to a decision that they should be addressed by the style and title of the parliament of the commonwealth of England. On the 11th they reappointed the late council of state, with the addition of some new members, one of whom was sir Anthony Ashley Cooper. The name of Oliver Cromwell, lord general, figures at the head of this council.

Barebone’s parliament began in such a manner as to prove, that to merit respect it wanted only legality, and enough of inherent force to secure its existence. It seems rather to have been tolerated than actuated by Cromwell. The assembly divided itself into several

* Parl. Hist. iii. 1871. This speech, according to one of his biographers (Carrington), was pronounced in so excellent a manner as sufficiently manifested that (as the lord general himself was thoroughly persuaded) the spirit of God acted in and by him.

committees for special objects of reform, which would do honour to the long parliament in its best days. Among them were tithes, trade, corporations, law reform, and the advancement of learning.*

John Lilburne once more took the field. This person, in the transactions and publications of the day, occupied a station to which he has no claim in history. Impetuous, reckless passion was in him called honesty, though ungoverned passion or temper be no less selfish than ambition or avarice. He displayed that uncompromising courage which, in public, imposes beyond most qualities on the multitude; his restless activity as a demagogue kept him before the public eye. A violent libel against some of the leaders of the republican party, as Cromwell, Vane, Haselrig, Bradshaw, brought upon him the unusual and alien sentence of banishment for life, in 1652. Upon the dispersion of the long parliament by Cromwell, he returned from Holland in despite of his sentence. On his arrival he addressed a conciliating letter to Cromwell, and was immediately committed prisoner to Newgate. It was well known to Cromwell, that during his residence in Holland he had come to an understanding with the royalists who formed the council of Charles II.†

It was resolved to bring him to trial for the capital offence, under the act which banished him, of returning from exile. Lilburne, aided by several counsel, one of whom was Maynard, made various objections; protracted the proceedings for several days before he consented to plead; and, in addressing the jury, maintained not only that he was innocent, but that the pretended statute which banished him was no more an act of the parliament of England than of that of Naples. It was, he said, but so many words engrossed on parchment. The jury were of the same opinion, and acquitted him;

* It would be inconsistent with the compass of what is rather an abstract than a history, to notice the slanders and sneers which have exhibited "Barebone's parliament" as an assembly of mean and illiterate persons. The reader who refers to the list in the New Parliamentary History, iii. 1406., will be satisfied of the contrary.

† Thurloe, i. 396.

but he was detained prisoner under a charge of conspiring against the government.*

Meanwhile the parliament, if it should be so called, pursued its reforms with comprehensive views; and, in its circumstances, surprising courage. It passed acts for consolidating the various branches of the revenue into one treasury; for rendering various matters of civil procedure less dilatory and expensive; for giving relief to prisoners for debt and their creditors; for the regulation of deaths, births, and marriages.† On the 5th of August it came to a memorable vote, which has been too inconsiderately condemned,—the abolition of the court of chancery. That court had become a matter of scandal to the nation for the worst vices of judicature—delay, expense, and corruption.‡ It should further be re-

* * He was released from his prison in Jersey in 1657, and soon died of consumption. M. Villemain, in his *Histoire de Cromwell*, mis-states the birth, the character, and the death of Lilburne. He was not “*né dans la condition la plus obscure*,” but of a family of gentlemen; not a patriot lover of liberty, but a selfish demagogue of unsettled principles, who was at one moment a republican agitator, the next a conspirator with the royalists against the commonwealth; and he died, not in prison, but at liberty. (See Godwin, iii. 559.) The errors of M. Villemain have arisen from his confiding implicitly in a historian who should be read with constant distrust and vigilance—Clarendon.

† This act transferred the ceremony of marriages, and the registry of marriages, births and burials, from the clergyman to the justice of peace.

‡ The anonymous author of “An exact Relation,” &c. who professes to have been a member of Barebone’s, or the short parliament, has left the following memorandum of the proceedings on this subject:—“That in the course of the debate the court of chancery was called, by some members, the greatest grievance in the nation; others said, that for dilatoriness, chargeableness, and a faculty of bleeding the people in the purse-vein, even to their utter perishing and undoing, that court might compare with, if not surpass, any court in the world. That it was confidently affirmed by knowing gentlemen of worth, that there were depending in that court 23,000 causes, some of which had been there depending 5, some 10, some 20, some 30 years, and more. That there had been spent many thousands of pounds, to the ruin, nay, utter undoing, of many families. That no ship almost that sailed in the sea of the law but, first or last, put into that port; and, if they made any considerable stay there, they suffered so much loss, that the remedy was as bad as the disease. That what was ordered one day was contradicted the next, so as in some causes there had been 500 orders and more. That when the purses of the clients began to be empty, and their spirits were a little cooled, then, by a reference to some gentlemen in the country, the cause so long depending, at so great a charge, came to be ended; so that some members did not stick to term the chancery a mystery of wickedness, and a standing cheat. And that, in short, so many horrible things were affirmed to it, that those who were, or had a mind to be, advocates for it, had little to say on the behalf of it; and so, at the end of one day’s debate, the question being put, it was voted down.”—See *Parl. Hist.* iii. 1412, 1413.

membered, that Anthony Ashley Cooper, afterwards earl of Shaftesbury and chancellor of England, was a member of the committee for law reform. But it was not the interest of Cromwell that this vote should be carried into effect, and two bills successively brought in for that purpose were defeated.*

Another conception, more vast and beneficial, was entertained by this decried assembly,—that of reforming, consolidating, and digesting the disorderly congeries of English jurisprudence in books of reports and acts of parliament. The same design was formed by Bacon, and is referred to as one of the evidences of his genius and wisdoms. Votes were passed for the abolition of presentations and advowsons, and for the discontinuance of tithes.† The fearless integrity of this “little parliament” almost redeems its want of sound judgment, and the vice of its creation. It went on reforming with the blindest confidence in its own attributes, and the intentions of Cromwell, from July to December, when its illusions were dispelled, and its career terminated.

Cromwell, since the death of Ireton, his better genius, seems to have kept his designs profoundly secret within his own bosom. It can only be a matter of uncertain speculation why he suffered the little parliament to proceed so freely and so far. Whilst his ambition was that of a patriot soldier and citizen, he identified himself with the principles and partisans of reform; now, a usurping dictator, he sought to ally himself with abuse. It will presently appear, that he designed to make two classes possessing large influence in the community,—the clergy and the lawyers—next, after the army, the main pillars of his despotism; and his sufferance of the proceedings of the little parliament may have been intended to alarm the ambition and avarice of the one, by allowing the vote for the abolition of tithes; of the other, by permitting law reform to threaten the mystery of their craft, and the enormity of their profits.

* Exact Relation, &c. Journ., Oct. 15.

† This vote was carried against the report of a committee, by fifty-six to fifty-four.

A comparative judgment of the long and of the little parliaments may be formed from the different modes in which they were assailed by Cromwell. Dealing with the republican politicians of the former, he employed brute force, with the republican visionaries of the latter, he manœuvred underhand. The day appointed for the execution of his design was the 12th of December. A small band, initiated by Cromwell, met earlier than usual, and having the speaker, Rous, in their interest, formed a house. Colonel Sydenham opened against the doomed assembly by unburthening his conscience, as he expressed it. The majority, he said, in the extravagance of their notions, aimed at the total extirpation of the christian ministry, the law, the army, all property, all human learning. He concluded, with moving, that the parliament, with the speaker at its head, should wait upon the lord general, and give back to him the powers with which he had invested them. The motion was seconded by colonel Wolseley, who commanded the military force with which Cromwell dispersed the last parliament. It was resolutely opposed* ; the members began to crowd in ; the conspirators took alarm at the result of a discussion ; and the mockery ended in their leaving the house, with the speaker at their head, in order to surrender their trust to Cromwell.

About thirty-five members remained, and, without either a speaker in the chair, or the number requisite to make a house, seemed disposed to maintain their authority and their places. The house was soon cleared of them by a file of musketeers. †

The seceders meanwhile proceeded to Whitehall, obtained admittance to the lord general, and surrendered

* There is no record of the proceedings, with the names of those who spoke, or their respective observations.

† Colonel White, who commanded the party of soldiers, is said to have asked them, " What they did there ?" to have been answered, " That they were seeking the Lord ;" and to have rejoined, " Then you may go elsewhere, for to my knowledge he has not been here for several years passed." Such traits of pleasantry and character enliven narrative, and have been studiously given by royalist historians ; but there are few instances in which they can be received as authentic ; and ingenious or amusing sallies, however they may give relief to style, should be subjected as facts to the tests of historic truth, before they are admitted into history.

to him their authority by a written instrument signed with their names. Cromwell affected surprise and reluctance with a strange effrontery of dissimulation ; held a council of officers ; constituted himself, by their advice, lord protector of the commonwealth of England, Wales, Scotland, and Ireland ; and proceeded, with all the pomp of royalty, from Whitehall to the court of chancery in Westminster hall, where he took his oath of office. The affected plainness of the dictator, in a suit of black velvet, without ornament, surrounded by the ermined robes and military costume of the officers, civil and military, who formed his retinue, had in it something calculated not only to give a deceitful air of moderation to his character, but to gratify his pride.

An act, or instrument of government, drawn up by the council of officers, was read to him, and formally accepted and signed by him. He then received the sword of state, in its scabbard, from general Lambert, the seals from the lords commissioners, the city sword from the lord mayor, on their knees, having previously sworn to govern the commonwealth according to the laws and customs of the nation !

The delusive name and form of the commonwealth were preserved by Cromwell, as those of the republic by the first Cæsar, but with only the shadow of republican freedom.* The supreme legislative power

* Mr. Godwin has made the following abstract of Cromwell's institute of government :—

"The first article in the institute of government was, that the supreme legislative authority should be in one person, and the people in parliament assembled ; and that the style of that person should be lord protector. It proceeded, that the protector should be assisted with a council of not fewer than thirteen, nor more than twenty-one persons ; that all writs, processes, commissions, and grants should run in his name ; and that from him should be derived all magistracy and honours ; that he should order the militia, and forces both by sea and land ; and, with his council, should have the power of war and peace ; that no law should be altered, suspended, abrogated, or repealed, but by the authority of parliament ; and that a parliament should be summoned in every third year. It directed, that the summons to parliament should be by writ under the great seal ; and that, if the protector should neglect to order these writs, the keeper or keepers of the seal should issue them on their own authority, under pain of high treason. Also, in case of similar neglect in these officers, the sheriffs of the counties should proceed in the election in the same manner as if the writs had been issued, under the like penalty. Each parliament was to sit five months ; and, if an intermediate parliament was

was declared to reside in the protector, and in the people in parliament represented ; and, until a parliament should meet, according to the scheme prescribed by the instrument of government*, in the lord protector and his council of state. Six of the late council were preserved ; sir Anthony Ashley Cooper was of this number. Harrison, Tomlinson, Stapeley, Carew, Moyer, and Bennett, were the discarded members.

called by the lord protector, it was not to be prorogued or dissolved within three months, unless by its own consent. In case of war with any foreign state, a parliament was to be summoned immediately. The institute determined, that every person possessing an estate, real or personal, to the value of 200*l.*, should have a vote at the election of members of parliament, excepting such as had been concerned in the war against the parliament, or in the rebellion in Ireland. It ordered, that all bills passed by the parliament should be presented to the lord protector for his assent ; and, if he did not assent within twenty days, the parliament might declare his neglect, and the bills should then become law notwithstanding. The army was limited not to exceed 10,000 horse, and 20,000 foot. It was also directed, that, till the meeting of the first triennial parliament in September, 1654, the protector and council might have power to raise money for the public defence, and to make such laws and ordinances as the welfare of the nation should require. No member could be removed from the council but for corruption, or such other miscarriage as should be judged of by a committee from the parliament and the council, together with the keeper or keepers of the seal ; the removal during the intervals of parliament to be made by the council itself, with the consent of the protector. The institute further ordered, that the keeper or keepers of the seal, the treasurer, the admirals, the chief justices of the two benches, and the chief governors of Scotland and Ireland, should be nominated by parliament, and, in the intervals of parliament, by the protector and council. That, as soon as might be, a provision should be made for the maintenance of the clergy, less subject to scruple and contention, and more certain, than the way of tithes ; and that no person should be compelled to conform to the established church, nor should any be restrained, but protected, in the profession and exercise of his religion, with an exception of the adherents of popery and prelacy. It was one article in the institute of government, that Oliver Cromwell should be declared lord protector for life ; and that, in case of his demise, the council of state should assemble to the number of not fewer than thirteen, and immediately elect his successor. This clause has been supposed to have been inserted to conciliate Lambert, and to feed him with the hope of being second lord protector.

" The representatives for England were to be 400. All petty boroughs, where there was scarcely a single house, were suppressed ; and the representation, as nearly as might be, proportioned to the amount of taxation. Of these, 261 were to be county members ; besides 6 for London, 2 for the isle of Ely, 2 for the Isle of Wight, and 2 each for Exeter, Plymouth, York, Colchester, Gloucester, Canterbury, Leicester, Lincoln, Westminster, Norwich, Lynn, Yarmouth, Nottingham, Shrewsbury, Taunton, Bristol, Ipswich, Bury, Southwark, Coventry, Worcester, and Salisbury ; 1 each for the two universities, and 1 each for all the towns and boroughs that were thought worthy to be represented, among which Manchester is enumerated. In addition to these, there were to be 30 representatives for Scotland, and 30 for Ireland ; the distribution of the counties, cities, and places represented, and the number of their representatives respectively, being to be determined by the lord protector and his council, previously to issuing the writs." — *Godwin*, iii. 595—598.

* See above.

The easy triumph of this second stroke of dictatorship, by Cromwell, has been ascribed to the political incapacity and religious enthusiasm of the little parliament. This is not exaggeration, but injustice. All the chances were against them : they had not sprung from the representative principle ; there was not a sufficient mass of republican or religious opinion in the nation to sustain them, even if they were duly elected ; and they had to contend with a military chief, endowed, beyond all parallel in his age, with craft, resolution, and capacity. But to take a general view of the expired or expiring commonwealth, would be premature in this stage.

Whilst the domestic government thus exhibited a melancholy spectacle of feeble virtue on the part of the republicans, of audacity and artifice on the part of the dictator, the foreign administration of the commonwealth was crowned with glory. The tendency of republican government is to give a centralising selfish cast to the sentiments of the people. In the United Provinces accordingly, the progress of the commonwealth of England was viewed, not with the sympathy of freemen, but with the jealousy of rivals, who saw their neighbours adopting the same machinery which had conferred national prosperity and power upon themselves. The Dutch quickly repaired their naval losses, and sent out Van Tromp once more with a fleet of a hundred sail to cruise in the channel. The descendant of Cromwell removed Vane from the admiralty : the pure republicanism of Blake* rendered him distasteful to the usurper, and Monk was placed by him at the head of the fleet.

Monk, with a fleet of about equal force, and Dean his vice-admiral, met Tromp on the 2d of June. The result was an indecisive and partial engagement. Blake arrived with a reinforcement in the evening ; the action was

* It is recorded of Blake, that upon receiving the news of the dispersion of the long parliament, he observed, with the view to its being known through the fleet, that their duty as seamen was to defend their country against foreign enemies, and not to meddle with political affairs.

renewed next day ; and the Hollanders, after a gallant resistance, were defeated with the loss of nineteen vessels taken or destroyed, and 1300 prisoners. The chief loss of the English was the death of admiral Dean, struck at the commencement of the action by a chain shot.

The negotiations for peace were for a moment renewed ; but Cromwell, amid the distractions of party and the perilous uncertainty of his power, would dictate terms ; and the Hollanders, with a rapidity which proved the extent of their resources, and excellence of their administration, again sent out Tromp in command of a powerful fleet.

The English and Dutch admirals sought each other in a spirit of mutual rivalry, national and personal, with deadly resolution. Monk ordered his captains to sink and destroy, not capture, the enemy's ships, and forbade them under any circumstances to strike the British flag.* On Sunday, the 31st of July, the two fleets engaged. Tromp, conspicuous on the quarter-deck of his ship, was killed by a musket shot, and the English obtained a decisive but dearly purchased victory. No ships were taken on either side. The victors lost two ships with six captains and 500 seamen killed, the same number of captains and 800 seamen wounded : the vanquished lost thirty vessels, with a proportionate number of killed and wounded, and 1200 prisoners.

1654. This victory, by putting an end to the war, left Cromwell at leisure to usurp and consolidate the protectorate. The executive administration and judicial magistracy were for the most part already vested in persons of his choice ; it remained for him only to confirm them in their offices. Glyn and Maynard, time-serving presbyterian lawyers, were made, the one a judge, the other a serjeant ; and to the honour of Cromwell, sir Matthew Hale was raised to the bench of the common pleas.† Thurloe, who on his return with St. John

* Gumble's Life, &c.

† Several proceedings, &c., Feb. 1654. Docket of Crown Office, cited in Godwin, iv. 26.

from Holland, became secretary to Cromwell, is henceforth styled secretary of state.

Cromwell's usurpation could not fail to provoke immediate manifestations of hostility ; the only wonder is that they were so few and feeble. Two preachers, named Feake and Powell, denounced him to their numerous and enthusiastic congregations, as a tyrant whose end should be more tragical as his guilt was greater than that of his predecessor, as lord protector of England, Richard III. He merely kept a few of the more violent preachers in confinement for a month, and ordered Harrison to live in retirement at a distance from the capital.*

The vigorous and vigilant administration and unlimited power of the protector seemed to deprive the royalists of all hopes of a restoration, and he used every art to conciliate both royalists and presbyterians. But the recent change in reality increased the chances in favour of Charles II. Cromwell, by concentrating the commonwealth in his single person, (if it may be so expressed without a contradiction in terms,) made the exclusion of the Stuarts dependent upon his single life, and thus multiplied the incentives to assassinate him. It was accordingly discovered that a conspiracy was set on foot to raise the royalists in arms throughout the kingdom, assassinate the protector and his satellites, and proclaim the king. Ten or twelve persons were arrested in conclave near the Old Bailey, the detection and defeat of the conspiracy were officially published, but as the prisoners were neither tried nor punished as traitors, neither the extent of their proceedings nor their exact designs are known.†

The authority of the protector was easily established in Scotland and Ireland. Monk on his arrival in London from the fleet was publicly decorated by Cromwell with a gold chain, voted by the little parliament as a reward

* Several proceedings, &c. Order book, cited in Godwin, iv. 60.

† Several proceedings, &c. Thurloe, St. Pap. ii. 95. (Examinations, &c.)

for his victory, and in the beginning of this year resumed his command in Scotland.

Some highland bands called moss-troopers, led by lords Glencairn, Balcarras, Athol, and Lorn, made armed incursions from their mountains, and kept up a sort of predatory war against the authority of the commonwealth. Glencairn had a commission from Charles II., and the earl of Middleton after some time came over as the king's lieutenant in Scotland. The insurgents increased in numbers, but jealousy and discord reigned between the leaders ; and Monk arrived before Middleton had time, if he had the capacity, to give organisation and energy to the insurgent force. The genius of Montrose was wanting. Monk dispersed the insurgents, partly by menaces, partly by force, and Middleton fled to the Continent.*

The protector was acknowledged in Ireland after some opposition by Ludlow. Henry Cromwell, his second son, was sent over by his father for the purpose of confirming Fleetwood and the army in their obedience. The question, however, whether the lord protector should be proclaimed immediately, was carried in the council by a majority of only one.† It is strange that the opposition of the republicans should evaporate in the mere words of a vote and a protest. Perhaps they thought that resistance would but place matters at issue between Cromwell and Charles II., not between the protectorate and the republic.

Foreign powers bowed with prompt respect to the authority of the lord protector. It may appear extraordinary that the crowned heads of Europe thus readily acknowledged a regicide usurpation, which claimed equality with the proudest of them. But fortunately for Cromwell the principal states were governed by politic ministers, in the name of princes either under age or of weak character,—with one remarkable exception. Louis XIV. was still a minor ; and cardinal Mazarin, who ruled France and the queen regent in his name, not

* Whitelock's Mem. July, 1654.

† Ludlow, ii. 482.

only congratulated Cromwell on his elevation, but declared his readiness to order the family of Stuart out of France* ; and instructed Bordeaux, then in England, to take upon him the character of French ambassador to the lord protector of England. Don Alonzo de Cardenas offered Cromwell the support of his master Philip IV., in making himself king.† France and Spain were at war, and Cromwell, whose policy it was to form with both powers, relations at once amicable and neutral, which should not make him a party in their quarrel, was in a position to decline the offer of an offensive and defensive alliance made to him by the two proudest crowns of Europe.‡ The king of Portugal, taught by the English fleet to regret his having rejected the terms offered him in the preceding year by the parliament, or expecting more favourable terms from Cromwell on his elevation, sent over count Guimaraes as ambassador extraordinary to negotiate peace with the lord protector. Don Pantaleon Sa, brother of the envoy, having been insulted by an Englishman named Gerard, sallied out next day with armed attendants in search of his enemy, assassinated a person named Greenway, whom he mistook for Gerard, and took refuge in the house of his brother the ambassador. The treaty was concluded but not signed, and the ambassador claimed his privilege to protect his brother and his servants. Cromwell insisted upon their being delivered up to justice ; the ambassador complied ; his brother with three of his accomplices in the murder were tried and found guilty ; on the morning of the 10th of July the ambassador signed the treaty, and in the afternoon of the same day, his brother was executed for murder at Tower Hill.

Cromwell by this striking spectacle not only impressed foreign powers with the force and fearlessness of his government, but gave the people whom he ruled a great example of his sense of the supremacy of public justice.

The exception above stated to the general character

* Thurloe, St. Pap. ii. 113.
† Thurloe, St. Pap. i. 759.

‡ Carte, Gen. Hist. iv. 663.

of the crowned heads of Europe, was the celebrated Christina, queen of Sweden. Her masculine character and love of singularity disposed her favourably to the revolution, and to Cromwell. Whitelock was sent by him as ambassador to her court; and, after several months' residence * there, concluded with her a treaty which she signed on the 28th of April,—only a month before she astonished Europe by resigning her crown in the twenty-seventh year of her age.

But the most important transaction in the foreign policy of Cromwell, was his treaty with the United Provinces. He abandoned his project of an union of the two commonwealths, appealed to heaven, and shed tears in proof of his moderation and sincerity †; and, after a protracted negotiation, concluded a treaty of alliance offensive and defensive with the States, on the 5th of April. The chief articles were, the recognition of the supremacy of the British flag in the narrow seas, satisfaction to the English for the destruction of life and property at Amboyna, and the exclusion (by a secret article) of the prince of Orange from the office of stadholder, captain-general of the forces, and admiral of the fleet of the republic.

The prince thus excluded was an infant in the cradle, afterwards William III. of England. The usurping ambition of his father and the other princes of his house, had determined the republican party in Holland to abolish the stadholderate; and John de Witt, now grand pensionary, with the other republicans, doubtless favoured the demands of Cromwell.

Whilst the protector thus established his authority at home and abroad, his life was again threatened by a royalist conspiracy. The chief conspirator was Gerard, already mentioned in the affair of don Pantaleon Sa. He had recently visited Charles II. at Paris, and returned to England with a proclamation in his name, offering

* Whitelock, in his *Journal of his Embassy*, has recorded some curious conversations which he had with the queen.

† Thurlow, St. Pap. i. 417, &c.

a reward to any person “ who should, by pistol, sword, poison, or other means, do an act acceptable to God and good men, in destroying the life of a certain base mechanic fellow, by name Oliver Cromwell, who had usurped the supreme power.” This paper is supposed to have been drawn up by Clarendon.*

It was arranged that Gerard, with a small party, should assassinate Cromwell whilst proceeding from Whitehall to Hampton Court, on the 20th of May; upon which Charles II. should instantly be proclaimed, and the royalists should take arms, with the assurance of being supported by prince Rupert at the head of an army of French, English, and Irish. Cromwell, apprised, it is said, of the existence of the conspiracy only a few hours before its purposed execution, caused Gerard, with other conspirators, to be arrested in their beds; and, by a curious coincidence, Gerard was executed with two of his accomplices named Vowell and Fox, on the evening before the execution of Pantaleon Sa.

The reality of this conspiracy is denied by Clarendon, and the host of writers who echo him; and Gerard vehemently protested his innocence. But the evidence on the trial seems conclusive on the other side.† The guilt of Gerard was attested by several of his accomplices, and by his brother. Among the persons arrested on this occasion, by order of Cromwell, was sir Richard Willis, a masked royalist, who long acted the infamous part of a spy to the protector.

Cromwell, a dictator, could no longer trust the republican officers. The most distinguished of them, as Overton, Okey, Alured, Robert Lilburne, Carew, and Rich, were removed from their regiments, and arbitrarily confined. It was at this moment of the disgrace and danger of Overton, that Milton pronounced an affectionate and noble eulogium on his character.‡

* See Godwin, iv. 75.

† See State Trials, v. 518. See also Thurlow, St. Pap. ii. 341, 342, 353, 512.

‡ “ Te, Overtone,” says he, “ mihi, multis abhinc annis et studiorum similitudine et morum suavitate, concordia plusquam fraterna conjunctis-

sime, te Marstonensi prælio illo memorabili," &c. But Milton at this period did not despair of Cromwell, though he did not conceal his misgivings. The following are the eloquent words in which he urges him against abusing the sacred trust of his country's freedom : — " Tu igitur, Cromuelle, magnitudine illa animi macte esto ; te enim decet : tu patriæ liberator, libertatis auctor, custosque idem et conservator, neque graviores personam, neque augustiorem suscipere potes aliam ; qui non modò regum res gestas, sed heroum quoque nostrorum fabulas factis exuperasti. Cogita sæpius, quām caram rem, ab quām cara parente tua, liberatem a patria tibi commendatam atque concreditam, apud te depositam habes ; quod ab electissimis gentis universæ viris, illa modò expectabat, id nunc a te uno expectat, per te unum consequi sperat. Reverere tantam de te expectationem, spem patriæ de te unicam ; reverere vultus et vulnera tot fortium virorum, quotquot, te duce, pro libertate tam strenue decertarunt ; manes etiam eorum qui in ipso certamine occubuerunt : reverere exterarum quoque civitatum existimationem de nobis atque sermones ; quantas res de libertate nostra, tam fortiter parta, de nostra republica, tam gloriösè exorta sibi policeantur : quæ si tam cito quasi aborto evanuerit, profectò nihil æquè dedecorosum huic genti, atque pudendum fuerit : te ipsum denique reverere, ut pro qua adipiscenda libertate, tot ærumnas pertulisti, tot pericula adiisti, eam adeptus, violatam per te, aut ulla in parte imminutam aliis, ne sinas esse." — *Milton*, 729.

CHAP. VI.

1654.

A NEW PARLIAMENT.—SPEECH OF THE PROTECTOR.—OPPOSITION OF THE REPUBLICANS.—DANGEROUS ACCIDENT TO CROMWELL. DISSOLUTION.—ROYALIST AND REPUBLICAN CONSPIRACY.—ARBITRARY GOVERNMENT.—CASE OF GEORGE CONY.—SIR MATTHEW HALE.—APPOINTMENT OF DISTRICT MAJOR-GENERALS.—FOREIGN POLICY OF CROMWELL.—CONQUEST OF JAMAICA.—DOMESTIC TROUBLES.—TREATMENT OF THE REPUBLICANS AND ROYALISTS BY CROMWELL.—A PARLIAMENT CALLED.—ARBITRARY EXCLUSION OF MEMBERS.—GROWTH OF THE QUAKERS.—GEORGE FOX.—JAMES NAYLOR.—TOLERANT HUMANITY OF CROMWELL.—SYNDERCOMBE'S PLOT.—ABOLITION OF THE MAJOR-GENERALS.—OFFER OF THE CROWN TO CROMWELL.—INSURRECTION OF THE FIFTH MONARCHY MEN.—PETITION AND ADVICE.—CROMWELL FORCED TO REFUSE THE CROWN.—VICTORY, DEATH, AND CHARACTER OF BLAKE.—INSTALLATION OF THE PROTECTOR.—MARRIAGE OF HIS DAUGHTERS.—IRELAND AND SCOTLAND.—CROMWELL'S BREACH WITH LAMBERT.—TREATY WITH FRANCE.—THE ENGLISH AUXILIARIES.—DELIVERY OF MARDYKE TO CROMWELL.—CREATION OF "THE OTHER HOUSE."—A PARLIAMENT CALLED.—ITS PROCEEDINGS AND DISSOLUTION.—CROMWELL FALLS BACK UPON THE ARMY.—HIS SECRET INTELLIGENCE.—"THE SEALED KNOT."—ROYALIST CONSPIRACY.—EXECUTION OF HEWIT AND SLINGSBY.—BATTLE OF DUNKIRK.—THAT TOWN DELIVERED TO CROMWELL.—COMPLIMENTARY MISSIONS BETWEEN LOUIS XIV. AND THE PROTECTOR.—PREPARATIONS FOR CALLING A PARLIAMENT.—SICKNESS, DEATH, AND CHARACTER OF CROMWELL.

CROMWELL had now been nearly twelve months the sole and absolute depositary of the supreme power. His ordinances had the force of law, and he imposed taxes upon the people.* In his instrument of government,

* See instrument of government (Parl. Hist. iii. 1417.), in which this power is expressly reserved—with, it is true, the advice of his council,—that is, of his mere tools. Cromwell exercised it very liberally. He continued the assessment of 60,000*l.* per month for six months, and the customs for four years.—*Scobell*, March and December, 1654.

however, he had promised to call a parliament, and he kept his word. Writs were issued in June ; the elections took place according to the new scheme already mentioned, and the parliament met on the 3d of September.*

It does not appear that Cromwell interfered in the elections by any unwarrantable exercise of power or influence : he, perhaps, wished to give government by parliament a fair trial. The new model was founded on wealth and population ; and the returns substantially represented the gentry and middle class. A strong infusion of the spirit, with a large portion of the most eminent members, of the long parliament accordingly re-appeared.† The several returns were subjected to the scrutiny of the protector's council ; but this scrutiny seems to have extended no farther than verifying the legal eligibility of the candidates, and regularity of the proceedings.

The protector opened the parliament with a pomp of retinue more than regal, and a profoundly artful speech of great length, combining religious mysticism with state policy, by no means without eloquence, and heard with emotion.‡ He passed in review the state of the nation ; he impressed upon the assembly the unparalleled importance of the crisis, and their duties ; he particularly denounced those religious and political levellers who would destroy liberty, property, law, and religion, for the purpose of introducing their visionary system of judaism and equality under the mask of the most sacred of all liberties, the liberty of conscience. “ Such considerations,” says he, “ and pretensions of liberty of conscience, and liberty of subjects, two as glorious things to be contended for as any God hath given us ; yet both these also abused for the patronising of villanies, in so

* The 3d of Sept. is said to have been regarded by Cromwell as auspicious to him, from his having fought the battles of Dunbar and Worcester on that day. A belief in auspices or in fortune seems to be a common effect where the mind or the imagination is impressed by extraordinary successes in the great game of war. Napoleon is said to have entertained it.

† See the list, Parl. Hist. iii. 1428, &c.

‡ Parl. Hist. ibid. Several proceedings, &c.

much as that it hath been an ordinary thing to say, and in dispute to affirm, that it was not in the magistrate's power ; he had nothing to do with it ; not so much as the printing a Bible in the nation for the use of the people, lest it be imposed upon the consciences of men ; for they must receive the same traditionally and implicitly from the power of the magistrate, if thus received. The afore-mentioned abominations did thus swell to this height amongst us. The axe was laid to the root of the ministry : it was antichristian ; it was Babylonish. It suffered under such a judgment, that the truth of it is, as the extremity was great on that, I wish it prove not so on this hand. The extremity *was*, that no man having a good testimony, having received gifts from Christ, might preach, if not ordained. So now, many on the other hand affirm, that he who is ordained hath a nullity or antichristianism stamped upon his calling, so that he ought not to preach, or not be heard. I wish it may not too justly be said, that there was severity and sharpness ; yea, too much of an imposing spirit in matters of conscience ; a spirit unchristian enough in any times, most unfit for these ; denying liberty to those who have earned it with their blood ; who have gained civil liberty, and religious also, for those who would thus impose upon them." *

He artfully associates the jesuits with the fifth monarchy men : — " Notions will hurt none but them that have them ; but when they come to such practices as to tell us, that liberty and property are not the badges of the kingdom of Christ ; and tell us, that, instead of regulating laws, laws are to be abrogated, indeed, subverted ; and perhaps would bring in the judaical law, instead of our known laws settled amongst us : this is worthy of every magistrate's consideration, especially where every stone is turned to bring confusion. Whilst these things were in the midst of us, and the nation rent and torn, in spirit and principle, from one end to another, after this sort and manner I

* Parl. Hist. iii. 1437, 1438.

have now told you ; family against family, husband against wife, parents against children ; and nothing in the hearts and minds of men but ‘ overturn, overturn, overturn,’ (a Scripture phrase very much abused, and applied to justify unpeaceable practices by all men of discontented spirits,) the common adversary in the mean time sleeps not ; and our adversaries, in civil and spiritual respects, did take advantage of these divisions and distractions, and did practise accordingly in the three nations. We know very well that emissaries of the jesuits never came in those swarms as they have done since these things were set on foot.” *

Of his own government he says,—“ A remedy hath been applied : that hath been this government ; a thing that I shall say little unto. The thing is open and visible to be seen and read by all men, and therefore let it speak for itself. Only let me say this, because I can speak it with comfort and confidence before a greater than you all, that is, before the Lord, that in the intention of it, as to the approving our hearts to God, let men judge as they please, it is calculated for the interest of the people alone, and for their good, without respect had to any other interest.” †

The house chose Lenthall ♫ speaker, and continued most of the officers of the long parliament. It soon appeared that the parliament was composed of three parties,—courtiers, presbyterians, and republicans ; and that the protector, or, to use the term already adopted, the court, could not command a majority. Even Barebone’s parliament, composed of the nominees of the dictator, was found refractory. Thus strong was the sentiment of liberty in all parties, which had grown up under the long parliament ; the royalists alone were willing to surrender it. The first great discussion brought in question the authority of Cromwell. The house debated during four successive days, on a motion for resolving itself into a committee, whether govern-

* Parl. Hist. iii. 1439.

† Ibid. 1440.

‡ The protector did not claim the power exercised by the king to confirm the election.

ment, by a single person and parliament, should receive its sanction. Bradshaw, Haselrig, and Scott, three leading republicans, took a prominent part *, but the speeches unhappily are not preserved. A member, whose name has not been recorded, said, that “having cut down tyranny in one person, he would not see the nation enslaved by another, whose right could be measured only by the length of his sword.” † The court party maintained that the actual form of government must not be brought into dispute. A compromise took place, and the house came to the following vote: — “That the supreme legislative authority should be in the parliament of the people of England, and in a single person, *qualified by such instructions as that assembly* should authorise. It was carried by only a majority of five.

The division took place upon the motion for the speaker's leaving the chair, not upon the main question. Cromwell became alarmed at the result, occupied the house of parliament with four companies of musketeers, commanded the excluded members to attend him at Whitehall, and rebuked them in a long speech full of resentment, in a compact and vigorous style, without his characteristic mysticism. “Gentlemen,” said he, “it is not long since I met you in this place, upon an occasion which gave much more content and comfort than this doth. That which I have to say to you now will need no preamble to let me into my discourse; for the occasion of this meeting is plain enough. I could have wished, with all my heart, there had been no cause for it. At that meeting I did acquaint you what the first rise was of this government which hath called you hither, and in the authority of which you came hither. Among other things that I told you of then, I said you were a free parliament; and so you are, *whilst you own the government and authority that called you hither: for certainly that word implied a reciprocation, or implied nothing at all.* Indeed, there

* Jour. Sess. 1654. Ludlow, Mem. ii. 500, &c.

† Perfect Politician, or a full View, &c.

was a reciprocation implied and expressed, and I think your actions and carriages ought to be suitable ; but I see it will be necessary for me now a little to magnify my office, which I have not been apt to do. I have been of this mind, I have been always of this mind, since first I entered upon it, that if God will not bear it up, let it sink. But if a duty be incumbent upon me to bear my testimony unto it (which in modesty I have hitherto forborne), I am in some measure now necessitated thereunto ; and, therefore, that will be the prologue to my discourse. I called not myself to this place ; I say again, I called not myself to this place—of that, God is witness. And I have many witnesses who, I do believe, could readily lay down their lives to bear witness to the truth of that ; that is to say, that I called not myself to this place ; and, being in it, I bear not witness to myself, but God and the people of these nations have borne testimony to it also. If my calling be from God, and my testimony from the people, God and the people shall take it from me, else I will not part with it : I should be false to the trust that God hath placed in me, and to the interest of the people of these nations, if I should. That I called not myself to this place, is my first assertion ; that I bear not witness to myself, but have many witnesses, is my second.” *

He then gives the following more curious than, in some points, credible retrospect of his own life and sentiments :—“ To make plain and clear that which I have said, I must take the liberty to look back. I was by birth a gentleman, living neither in any considerable height, nor yet in obscurity. I have been called to several employments in the nation ; to serve in parliaments ; and, because I would not be over-tedious, I did endeavour to discharge the duty of an honest man in those services, to God and his people’s interest, and of the commonwealth : having, when time was, a competent acceptance in the hearts of men, and some evidences thereof. I resolve not to recite

* Parl. Hist. iii. 1446.

the times and occasions and opportunities that have been appointed me by God to serve him in, nor the presence and blessings of God then bearing testimony to me. Having had some occasions to see (together with my brethren and countrymen) a happy period put to our sharp wars and contests with the then common enemy, I hoped, in a private capacity, to have reaped the fruit and benefit, together with my brethren, of our hard labours and hazards ; to wit, the enjoyment of peace and liberty, and the privileges of a Christian and of a man, in some equality with others, according as it should please the Lord to dispense unto me. And when, I say, God hath put an end to our wars, at least brought them to a very hopeful issue, very near an end, after Worcester fight I came up to London to pay my service and duty to the parliament that then sat ; and hoping that all minds would have been disposed to answer that which seemed to be the mind of God, viz. to give peace and rest to his people, and especially to those who had bled more than others in the carrying of the military affairs, I was much disappointed of my expectation, for the issue did not prove so : whatever may be boasted or misrepresented, it was not so nor so. I can say, in the simplicity of my soul, I love not, I love not (I declined it in my former speech) ; I say, I love not to rake into sores, or to discover nakednesses ; that which I drive at is this, I say to you, I hoped to have had leave to have retired to a private life ; I begged to be dismissed of my charge ; I begged it again and again ; and God be judge between me and all men if I lie in this matter."* In fine, he told them that the door of parliament should be opened only to those members who should have signed a test which waited them in the lobby.

This test was a simple adhesion to the existing government. It was refused by Bradshaw, Haselrig, and other republicans, but signed by about 140 members and the speaker, who immediately made a house. But even still the parliament would not lend itself to the

* Parl. Hist. iii. 1446, 1447.

views of the dictator : it voted the engagement to be a simple recognition of the form of government, leaving the several articles of the instrument, so called, open for discussion, — and it discussed them accordingly one by one. The debate was minute and tedious through several days.

Meanwhile an accident was near cutting short the deliberations and the existence of the parliament, by putting an end to the life of Cromwell. Whilst taking a carriage airing in Hyde Park, after dinner, on the 29th of September, the fancy took him to displace the coachman, and take the reins. His mismanagement of the reins, and too free use of the whip, soon deprived him of all control over six spirited horses : they set off at full speed ; the postilion who rode the leaders was thrown ; Cromwell fell upon the pole, became entangled in the harness, was dragged along for some distance, and rescued with only some bruises. A pistol which he had upon his person went off during the accident. Thurloe, who was in the carriage, attempted to get out, and was more seriously injured.*

A question which touched Cromwell the most nearly was debated in the month of October, — whether the protectorship should be elective or hereditary. Lambert, who aspired to it, was yet gained over by Cromwell, and spoke for the hereditary succession in the family of the actual protector ; but the other officers, even those most attached to Cromwell, as Whalley and Desborough, actuated by ambitious hopes or republican principles, were in favour of election, and a vote to that effect was carried by a majority of 200 to 60. This vote was followed up by another, which, in restricting the protector's veto, implied that this prerogative was derived by him only from the parliament.

But that which most provoked the anger or the fears of Cromwell was a series of resolutions for the settlement of the government, — that is, the limitation of his power. The court party proposed that a conference with

* French despatches in Thurloe's State Papers, ii. 653. 656.

the protector should precede the decision on this subject, and was left in a minority of 95 to 107. This division took place on the 10th of January. The parliament, by the instrument of government, could not be dissolved before the lapse of five months, which would bring it to the 5th of February, and the act of settlement was forwarded with the utmost speed. Cromwell affected to reckon by months of 28 days as practised in the service of the army and navy, and taking the parliament by surprise, dissolved it on the 22d of January.

The abrupt dissolution of three parliaments was among the chief causes which brought the unhappy Charles to the block. Cromwell, *à fortiori*, merited the same fate, and was doubtless saved from it only by the vigour of his genius and his government. He was now alike hated by the presbyterians and republicans. His dissimulation was, if possible, more odious than his tyranny. He had the effrontery to declare in a speech to the parliament that, had the protectorship been voted hereditary, he would have refused it. “This,” says he, “hath been my constant judgment, well known to many that hear me speak,—if this one thing had been inserted, this one thing that the government should have been placed in my family hereditarily, I would have rejected it; and I could have done no other, according to my present conscience and light: I will tell you my reason, though I cannot tell what God will do with me, nor you, nor the nation, for throwing away precious opportunities committed to us. This hath been my principle, and I liked it when this government came first to be proposed to me, that it puts us off that hereditary way; well looking, that as God had declared what government he had delivered over to the Jews, and placed it upon such persons as had been instrumental for the conduct and deliverance of his people: and, considering that promise in Isaiah, that God would ‘give rulers as at the first, and judges as at the beginning,’ I did not know but that God might begin; and though at present with a most unworthy person, yet, as

to the future, it might be after this manner, and I thought this might usher it in. I am speaking as to my judgment against making it hereditary, to have men chosen for their love to God, and to truth and justice, and not to have it hereditary ; for, as it is in Ecclesiastes, ‘ who knoweth whether he may beget a fool or a wise man ? ’ ” *

He announced in his speech, as one of his reasons for dissolving the parliament, the existence of a vast conspiracy. The royalists and republicans are stated to have combined against him. † In point of fact, Overton, Wildman, Harrison, lord Grey of Groby, and other republicans, were arrested ; and a royalist conspiracy of the feeblest character, headed by Wilmot, afterwards earl of Rochester, sir Henry Slingsby, sir Richard Maleverer, and colonel Penruddock, after a moment’s occupation of Salisbury, was dispersed by a captain with only a few companies of infantry. The mass of the people seemed to look on with indifference ; and the inhabitants of Salisbury, in particular, were disgusted with the brutal purpose of the royalists, during the momentary occupation, to hang the judges of assize, whom they surprised in the town. Of the prisoners, the most distinguished were executed, and the greater number sent to the West Indies. Cromwell, at the same time, levied a contribution of one tenth of their incomes upon the royalists.

The late parliament withheld the ordinance of supply until it should have passed the act of settlement ; and Cromwell, with conspiracy at home and vast designs of foreign conquest, was again thrown back for supplies upon his tyrannic power. He issued a new ordinance of assessment, under colour of that article of the instrument of government which vested the power of taxation in the protector and his council until the meeting of parliament. The rate was only 60,000*l.* a month, the

* Parl. Hist. vii. 1742.

† For proofs of this conspiracy, see Thurloe’s State Papers, iii. 46. 55. 185. 217. 280, &c.

sum intended by the parliament, and his moderation somewhat reconciled the people to his tyranny.

One man questioned his authority, and appealed to the laws. George Cony, a merchant, refused the payment of certain custom duties, on the ground of their not being levied by authority of parliament, referred to the opposition of Rolls, Valentine, and Chambers, in a similar case, to Charles I., and recalled to the memory of Cromwell his own expression in the long parliament, — “that the subject who submits to an illegal impost is more the enemy of his country than the tyrant who imposes it.” He was committed to prison, and brought up by writ of habeas corpus. His counsel, Twisden, Windham, and Maynard, maintained the illegality of both his imprisonment and the tax, and were committed to the Tower for seditious licence of speech. Cony next maintained the same views in person with such force that he shook the conviction or shamed the conscience of the bench. Chief-justice Rolle gave in his resignation, and Glyn was appointed in his room. Between Glyn’s management and the power of the protector, Cony was induced to exchange for safety and contempt a perilous situation which would have associated his name with that of Hampden.*

Other judges, including the keeper of the seal, also resigned their commissions, on the ground that a capital conviction, under the ordinance of treason, made by the protector and his council, was illegal. But there was a host of expectant and ambitious lawyers, and Cromwell soon found new instruments. The conscience and the courage of English lawyers have ever formed the weakest and most treacherous defences of English liberty. The negative virtue of these resignations, however, merits the

* Cromwell on this occasion — If credit be given to Clarendon — spoke of Magna Charta with ribald contumely. The supposed expression is too gross and well known to be repeated, and is, moreover, in the last degree improbable, except as a piece of characteristic ribaldry invented by some royalist. Cromwell spoke in general with dignity, always with decency; and at this very period, addressing the late parliament, referred to Magna Charta as the most unquestionable and sacred basis of English law and government.

praise of keeping alive the traditions of the parliamentary constitution of England. One judge did more,—he kept his place, and did his duty in the face of the tyrant. It was sir Matthew Hale. He dismissed a jury which the sheriff had packed by express order of Cromwell, and directed the execution of a soldier for murder, in defiance of evidence on the trial that the soldier acted upon the protector's orders. Cromwell rebuked, but did not remove the judge; and it is some merit in a tyrant to have tolerated virtue.

The government of Cromwell, hitherto carried on by the desultory acts, now received from him the organisation of a military despotism. He divided England and Wales into 12 districts, to be governed each by a major-general, with the district-militia under his command. The immediate object of these military governments was the levy of the contribution of one tenth, already mentioned, upon royalists, and the prevention of royalist insurrections. Cromwell derived from them the further advantage of attaching the chief officers of the army to his interests by their own. He resorted to the militia either from distrust of the religious and republican spirit of the army, or to cloak his despotism in the pretence of employing that ancient and constitutional force of the English monarchy.* The instructions of Cromwell to the major-generals embraced a system of military inquisition which completely superseded civil government. But the genius of the government, though military and despotic, was practically mild ; the operations of a mind so enlarged as that of Cromwell, even when most arbitrary, was not without practical beneficence ; and the nation was already sinking to that worst humiliation,—an indifference to freedom. Cromwell was in effect preparing the way for the restoration and its ecstasy of servility. It is a relief to turn to his foreign administration.

* The chief officers appointed were Lambert (allowed to act by deputy), Skippon, Whalley, Desborough, Goff, Fleetwood, Berry, Kelsy, Boteler, Wolsey.

The two courts, it has been seen, of France and Spain, courted the new protector with earnest and even abject solicitation.* Cromwell at first confined himself to relations of distant and neutral amity with both. It would appear, however, that his preference of France was early formed ; and the only question with him was, whether he should ally himself with Mazarin, or his rival, cardinal de Retz. This singular personage has recorded the protector's mission to him in his memoirs. The sympathies of Cromwell would naturally incline him to the party of De Retz and the parliament of Paris against the court. He soon perceived that no sure relations could exist with a man whose eccentricities were scandalous as his genius was brilliant. It could not escape him that the Fronde was a burlesque on civil war†, and he preferred an alliance with the politic, timid, and complying Mazarin.

Don Alonzo Cardenas offered the protector his master's aid to reconquer Calais ; Mazarin held out the counter-temptation of aiding him in the conquest of Dunkirk.‡ Cromwell's choice of alliance was most probably determined by other considerations. He has been condemned by modern and especially whig writers for his preference of France. The sphere of vision of a whig mind seems condemned to the limits of whig party. Cromwell is charged with a glaring mistake of policy because he did not foresee the power and pretensions of Louis XIV., and, in short, anticipate the policy of William III. The political writers of France have been more just to him.§ He saw that colonial possessions were essential to maritime power, and that the vast possessions of Spain in the New World were an

* A Dutch caricature, reproduced as a frontispiece to one of the pamphlets of the day, represents the Spanish ambassador approaching the lord protector in an attitude ludicrously base, whilst the French ambassador, eagerly pulling him back, says, " Give place, sir,—that honour belongs to my master."

† For an admirable sketch of this curious episode in the history of France, see Voltaire's *Essai sur les Mœurs, &c.*

‡ Thurloe, State Papers, iii. Life of James II. i. ii. 265.

§ Voltaire, in the work above cited. M. Villemaine's " Histoire de Cromwell," &c.

easy conquest. He accordingly equipped a fleet for the professed purpose of restoring the natural dominion of England over the sea. The preachers announced that his preparations were intended to destroy Babylon: it was rumoured abroad that he was about to dethrone the pope; and Innocent X., expecting to be attacked in Rome, ordered fortifications to be built round the church of our Lady of Loretto, the rich offerings in which were presumed to be the chief object of the heretic expedition.*

The fleet, composed of about 20 ships of war, under the command of admiral Pen, and having on board 4000 soldiers, commanded by colonel Venables, sailed at the close of the year with sealed orders, which they were to open at Barbadoes. Upon arriving there, at the end of January, and breaking the seals, they found the protector's orders to take Cuba and Hispaniola.

The Spanish ambassador, meanwhile, requested an explanation, and offered to remove any just cause of complaint. Cromwell, in reply, made two demands,—the freedom of English commerce in the West Indies, and the abolition of the Spanish inquisition. The ambassador rejoined that the inquisition and the American monopoly of trade were the two eyes of his master, neither of which he could be expected to put out. † It is obvious that the suppression of the inquisition was demanded by Cromwell merely to enlist on his side the protestant mind of England and Europe; and he well knew that the freedom of English commerce in the Spanish West Indian seas could be obtained only by force. War accordingly broke out between the two nations.

Pen and Venables disappointed the hopes of the protector and the nation. They sailed from Barbadoes with a reinforcement of ships already prepared there, and with troops raised in the English colonies; landed at Hispaniola, fell into an ambuscade as they advanced, were

* "Nothing," says lord Clarendon, "was more usual than his saying that his ships in the Mediterranean should visit Civitâ Vecchia, and that the sound of his cannon should be heard in Rome."

† Thurloe's account of the negotiations. State Papers, i. 759, &c.

routed with serious loss, and reembarked. This ignominious failure was in some degree redeemed by another and most important conquest,—that of the island of Jamaica, made without firing a gun. The Spanish planters, however, through the mistaken prudence of Venables, had time to retire with their property to the inmountains.

Cromwell took immediate measures to secure this conquest ; but was so displeased with the general result of the expedition that he placed both commanders in arrest on their return.*

The protector had, at the same time, equipped a second fleet, under the command of Blake, who maintained the reputation of the British navy and his own. He proceeded into the Mediterranean, cleared that sea of pirates, and successively chastised the deys of Algiers, Tunis, and Tripoli. The grand duke of Tuscany had permitted in the Tuscan ports the sale of English prizes by prince Rupert some years before. Blake demanded, as a reparation to the English owners whose goods had been thus sold by his permission, the sum of 60,000*l.*, obtained it, and sent home sixteen vessels, which entered the mouth of the Thames, charged with his rich prizes. The republic of Genoa thanked the protector by a special embassy for having thus afforded protection and safety to maritime commerce. The Vaivode of Transylvania solicited his aid against the Turks ; the king of Poland requested his succour against the growing power of Russia† ; and the canton of Zurich appealed to him as the natural guardian of protestant states. This last application was the most accordant with his policy : a more remarkable case soon engaged him to appear with honour as the protector of protestantism and opponent of persecution.

The valleys of Piedmont were inhabited by protestants, the descendants of those Waldenses of the middle age who were so inhumanly persecuted. An order of

* Thurloe, State Papers, iii. 752, 753. iv. 1. 21, 22. 55. 653.

† Thurloe, State Papers, iv. 170.

their sovereign, the duke of Savoy, now forbade the exercise of their religion. It professed to have been issued in consequence of gross outrages offered by the protestants to the worship of the catholics.* Persecution naturally produced disobedience, which the duke of Savoy punished by letting loose a bigoted and licentious soldiery upon the unhappy inhabitants. The result was one of those scenes of torture, massacre, and conflagration for religion's sake, upon which theological historians delight to dwell.† They are really but barren and revolting horrors, from which nothing can be learned but the superior ferocity of man in the scale of animal nature.

Cromwell, with, it may be safely affirmed, unaffected sincerity, expressed his disgust and indignation, sent an envoy to the duke of Savoy to remonstrate against his inhumanity, and despatched the same day (25th May) to the kings of France, Denmark, and Sweden, the States General, and the protestant cantons of Switzerland, a letter on the subject written in Latin by Milton.‡ It was, however, only through the court of France that he sought to obtain redress for the sufferers. The duke of Savoy was the ally of that power; some French troops were employed by him in the commission of those horrors, and Cromwell told Mazarin that the conclusion of their pending treaty should depend upon his obtaining from his ally the duke the restoration of their rights to his protestant subjects. The French minister hesitated, Cromwell insisted; and a "pacification" was signed at Pinerolo, on the 8th of August, ostensibly through the sole influence of France.

The completion of the protector's treaty with France immediately followed. Cromwell insisted with the same jealous rigour upon matters of ceremonial and substance.

* The rustic fanaticism of the *Vaudois*, and the protestant horror with which they regarded the mass as idolatrous and abominable in the sight of God, render it highly probable that they gave some provocation: but no provocation could even extenuate the horrors to which they were subjected in retribution, supposing it to be such.

† The atrocities are not only described in elaborate and disgusting detail, but exhibited by engravings in some of the publications of the time.

‡ The principle of religious toleration as understood by the Independents, is expressed as follows: — *Conscientiae jus inviolabile ac potestatem Deus penes se unum esse voluit.*

Latin was the language employed. The French designated their king *rex Galliae*, as there was no longer a king of England claiming the frivolous title; but Cromwell insisted upon *rex Gallorum*, and Mazarin complied. The French king is further made to style the protector his brother. The main conditions of the treaty were, that France should indemnify English merchants for injuries to their commerce; that the conquest of Dunkirk should be made for England by their joint forces; that Charles II., his family, and his court, should be excluded from the French territory. Of the Stuarts, the duke of York only was then in France; and Cromwell, at the request of Mazarin, consented to his being allowed to remain there.* Lockhart was appointed ambassador from the protector to the court of France; the king of Spain laid an embargo upon English vessels in his dominions; and a declaration of war against Spain, in confederacy with France, ascribed, without sufficient grounds, to Milton †, was published in Latin on the part of the protector of the English commonwealth.

The war proceeded with languor for some time. 1656. Blake, after his conquests in the Mediterranean, continued to cruise off Cadiz for the purpose of interrupting the Spanish galleons on their arrival from America. His health declined; and Montague, afterwards lord Sandwich, was joined with him in the command. The Spanish plate fleet escaped their vigilance; and they proceeded to the coast of Portugal for the purpose of obtaining provisions; leaving captain Stayner, with a squadron of seven men-of-war, off Cadiz. A rich fleet from Lima, with the viceroy, his family, and his wealth on board, soon arrived off San Lucar, and saluted the shores of Spain with a joyous discharge of artillery. The Spanish admiral was informed, by a Portuguese prize, that the English fleet had been recently dispersed off Cadiz, and he imagined himself safe. Stayner appeared in the midst of his security, and attacked him with only

* This fact is stated by James II. in his Memoirs, I. 265, 266.

† See Godwin, iv. 217., &c. note.

three frigates. The Spanish vice-admiral's ship took fire ; and the governor of Lima, with his wife, his son, and his daughter, betrothed to the son of the duke of Medina-Celi, perished in the flames : his remaining children, five in number, were saved by the English. The admiral's ship went down with vast treasures on board ; two ships were captured, and the wreck of the fleet escaped to Gibraltar. Ingots, to the value of 2,000,000 dollars, were sent home as the fruits of the victory ; and the venal muse of Waller, in a poetical address on the occasion to Cromwell, suggests, with adroit servility,—

“ Let the rich ore forthwith be melted down,
And the state fixed by making him a *crown*. ”

Cromwell must have been superior to the weakness of desiring the bauble called a crown from personal vanity ; as little could he have sought it for increasing his power, which it would, on the contrary, define and diminish. His object was to render the possession and the inheritance of his authority more secure, by clothing it in a title interwoven with the history, the institutions, and the habits of the people. But those who desired kingship desired it only in the family of the late king ; and, among the active and ascendant minority of the nation marshalled on the side of the revolutionary government, republican opinion was still so strong as to overawe the genius and audacity of Cromwell.

The institution of parliament, the sentiment that the nation could be taxed only through its representatives, was still more closely interwoven with the fabric of English government. Kingship might be removed, but parliament was still ineradicable. The usurper himself, in his better days of patriotism and virtue, had inculcated, too well for his present views, the great lesson that parliamentary representation was the essential element of free government in England, which every Englishman was bound to defend with his fortune and his life. Cromwell accordingly, after so many failures, once more called a parliament.

Writs were issued on the 10th of July, and the meeting fixed for the 17th of December. The republicans took the field with unabated courage and energy. Vane, who had lived in retirement since Cromwell's usurpation, re-appeared upon the scene: he published a tract, entitled "A Healing Question propounded and resolved." The moderation of his tone gave additional force to the truth and freedom of his opinions. "It seemed," he said, "as if God were pleased to stand still and be as a looker-on, during the last three years;" that is, during the usurpation of Cromwell. This pamphlet was followed by another, more decidedly or more violently republican, under the title of "England's Remembrances," also attributed, but without proof, to Vane.* Some of the republicans scrupled to act upon Cromwell's writs, as it would be a recognition of his authority. The pamphlet answers the objection by putting the case of a thief, who, having kept one out of his house for a time, bids him return to it. "Would any of you," said he, "scruple to go home because the thief had before exercised a power to which he had no right?" The author disposes of the alleged and real mildness of Cromwell's government by an energetic apostrophe, with which he closes:—"What," said he, "shall I say more to you, dear Christians and countrymen? Do not the cries of the widows and the fatherless speak? Do not your imprisoned friends speak? Do not your banished neighbours speak? Do not your infringed rights speak? Do not your invaded properties speak? Do not your affronted representatives, who have been trodden upon with scorn, speak?"

Cromwell encountered the republicans with an act of arbitrary authority: he summoned four leaders of that party,—Bradshaw, Vane, Ludlow, and Rich,—to appear before the council. The result was, that Bradshaw was removed from the chief justiceship of Chester †, Vane committed to Carisbrook Castle, Ludlow discharged on

* Thurloe, State Papers, v. 342.

† The order was made, but not carried into effect.

bail reluctantly given by him *, and Rich imprisoned at Windsor. Harrison, who had been released some time before, was again confined in Pendennis Castle in Cornwall.† Colonel Okey and vice-admiral Lawrence were

* The dialogue between Ludlow, Cromwell, and some of the recreant officers who adhered to the usurper, throws a strong light on the characters of those persons. It is recorded in his Memoirs (ii. 552, &c.)

“ The next Wednesday after my arrival, about eight in the evening, Cromwell sent a gentleman, one Mr. Tenwick, to let me know that he would speak with me. I found him in his bedchamber at Whitehall, and with him major-general Lambert, col. Sydenham, Mr. Walter Strickland, col. Montague, and soon after came in lieutenant-general Fleetwood.

He asked me wherefore I would not engage not to act against the present government, telling me, that if Nero were in power, it would be my duty to submit. To which I replied, that I was ready to submit, and could truly say that I knew not of any design against him. But, said I, if providence open a way, and give an opportunity of appearing in behalf of the people, I cannot consent to tie my own hands beforehand, and oblige myself not to lay hold on it. However, said he, it is not reasonable to suffer one that I distrust to come within my house, till he assure me he will do me no mischief. I told him, I was not accustomed to go to any house, unless I expected to be welcome; neither had I come hither but upon a message from him, and that I desired nothing but a little liberty to breathe in the air, to which I conceived I had an equal right with other men Then beginning to carry himself more calmly, he said that he had been always ready to do me what good offices he could, and that he wished me as well as he did any one of his council, desiring me to make choice of some place to be in where I might have good air. I assured him that my dissatisfactions were not grounded upon any animosity against his person; and that if my own father were alive, and in his place, they would, I doubted not, be altogether as great. He acknowledged that I had always carried myself fairly and openly to him, and protested that he had never given me just cause to act otherwise.

“ Major-general Lambert then desired to know from me why I could not own this as a lawful government. Because, said I, it seems to me to be in substance a re-establishment of that which we all engaged against, and had with a great expense of blood and treasure abolished. What then, said he, would you account to be a sufficient warrant for you to act against the present authority? I answered, when I might rationally hope to be supported by an authority equal or superior to this, and could be persuaded that the said authority would employ its power for the good of mankind. But who shall be judge of that? said he. For all are ready to say that they do so, and we ourselves think we use the best of our endeavours to that end. I replied that if they did so, their crime was the less, because every man stands obliged to govern himself by the light of his own reason, which rule, with the assistance of God, I was determined to observe. Col. Sydenham said, we might be mistaken in judging that to be a power giving us a just and rational call to act which may not be so. I told him that we ought to be very careful and circumspect in that particular, and at least be assured of very probable grounds to believe the power under which we engage to be sufficiently able to protect us in our undertaking; otherwise I should account myself not only guilty of my own blood, but also in some measure of the ruin and destruction of all those that I should induce to engage with me, though the cause were never so just.”

+ The support given by Harrison to Cromwell's usurpation is an enigma, the solution of which is given by Ludlow: — “ I went to make him a visit, and having told him that I was very desirous to be informed by him of the reasons that moved him to join with Cromwell in the interruption of the civil authority, he answered that he had done it, because he was fully

arrested.* At the same time lord Willoughby of Parham, John Ashburnham, and other royalists, were committed to the Tower.

The vigilance and vigour of Cromwell's government, the terrors of his power, the authority of his military satraps, governing under the name of major-generals, with no responsibility but to his will, all failed to exclude republicans, or procure a subservient majority. He resorted to an exercise of power so arbitrary and sweeping, as to render the summoning of parliament a mockery. The meeting stood for the 17th of September. On that day the members, after hearing a sermon from Dr. Owen in the Abbey church, and a speech unusually embarrassed in style and hollow in assertions †, from

persuaded they had not a heart to do any more good for the Lord and his people. Then, said I, are you not now convinced of your error, in entertaining such thoughts, especially since it has been seen what use has been made of the usurped power? To which he replied, upon their heads be the guilt who have made a wrong use of it; for my own part, my heart was upright and sincere in the thing. I answered, that I conceived it not to be sufficient in matters of so great importance to mankind to have only good intentions and designs, unless there be also probable means of attaining those ends by the methods we enter upon; and though it should be granted that the parliament was not inclined to make so full a reformation of things amiss as might be desired, yet I could not doubt that they would have done as much good for us as the nation was fitted to receive; and therefore that extraordinary means ought not to have been used till it had been clearly evident that the ordinary had failed, especially since it could not but be manifest to every man, who observed the state of our affairs, that upon the suppression of the civil authority the power would immediately devolve upon the person who had the greatest interest in the army. His second reason for joining with Cromwell was, because he pretended to won and favour a sort of men who acted upon higher principles than those of civil liberty. I replied that I thought him mistaken in that also, since it had not appeared that he ever approved of any persons or things farther than he might make them subservient to his own ambitious designs; reminding him that the generality of the people that had engaged with us having acted upon no higher principles than those of civil liberty, and that they might be governed by their own consent, it could not be just to treat them in another manner upon any pretences whatsoever. The major-general then cited a passage of the prophet Daniel, where 'tis said, *That the saints shall take the kingdom and possess it.* To which he added another to the same effect, *That the kingdom shall not be left to another people.* I answered, that the same prophet says in another place, *That the kingdom shall be given to the people of the saints of the Most High.* And that I conceived, if they should presume to take it before it was given, they would at the best be guilty of doing evil that good might come from it. For to deprive those of their right in the government who had contended for it equally with ourselves, were to do as we would not that others should do to us.ⁱⁱ — *Ludlow*, ii. 563—5.

* Thurloe, State Papers, v. 575.

† It is printed for the first time in the Introduction to Burton's Diary.

the protector in the Painted Chamber, proceeded to their house. They found the door guarded by soldiers, who admitted none but those provided with a certificate of the approbation of the council, signed by the clerk of the commonwealth. This ticket had been withheld from about 100 members, and they were excluded.

The instrument of government vested in the council the power of verifying the regularity of the elections ; and Cromwell had now the effrontery to extend it into a right to cancel the returns, however regular, at his discretion. Among the members excluded were Haselrig, Scot, Ashley Cooper, Maynard, Chaloner, Chute, Popham, Thorpe, one of the judges who had resigned, sir Henry Mildmay, and the earl of Salisbury.

The members, whose promised or presumed compliance had carried them through, chose Widdrington speaker, and adjourned to the next day without further proceeding. Meanwhile the excluded members, in whom the essential virtue and authority of parliament really resided, were neither idle nor intimidated. They drew up and signed a letter of remonstrance, addressed to the speaker, who next day read it to the house. It set forth that they whose names were subscribed, having been duly returned to serve with them in parliament, were kept back in the lobby by soldiers, and demanded admission to discharge their trust. Upon the reading of this letter, a motion of adjournment was negatived by a majority of 115 to 80 ; a resolution that the excluded members be referred for redress to the council, and that the house do proceed with the great affairs of the nation, was carried by a majority of 125 to 29. The excluded members thus abandoned by the house, if it should be so called, published a fearless protest to the nation clothed with their signatures. It contained several pointed and powerful references to the protests of parliament against the tyrannical measures of the late king ; denounced the hypocrisy and tyranny of Cromwell ; and concluded with declaring his abettors, who advised the exclusion, or acquiesced in it, betrayers of

their country, and capital enemies of the commonwealth.*

It would appear that some even who passed the ordeal and took their places, became ashamed of their position. So few attended, that an order of the house was made for the attendance of such members as had or should receive the approbation of the council. Meanwhile the public business proceeded. Two bills were passed for the especial security of the protectorate: one, renouncing and abolishing anew the title of the late king and his family; the other, providing for the personal safety of the protector. It was further voted, that a declaration justifying and approving the war against Spain, should be published in the name of the house.

Several other bills having been passed, a committee was appointed to present them to the protector for his assent. One of these bills was a manifestation, real or pretended, of some independence. It provided that the session should not close with the presentation and sanction of the bills that stood the first on the list. This possibly was a collusive proceeding, to impose upon the nation a show of parliamentary independence. Cromwell had no motive for dissolving the parliament: he gave his assent to the bills with formal pomp in the Painted Chamber.

Liberty of thought, whilst it unmanacles reason, gives new impulses to the imagination; and the licence of religious speculation at the epoch of the commonwealth, produced mysticism and delusion. The most remarkable visionary of the period was James Naylor, whose

* This remonstrance is given in Whitelock's *Memorials* (651.), with the signatures of all the excluded members. The violence of its tone, the improbability that all the excluded members should have the courage to sign it (whilst the greater part only had courage to sign the letter to the speaker), and the silence of cotemporary writers, as Clarendon and Ludlow, on opposite sides, have brought the authenticity of this document into question. There was no reason for tempering the violence of a paper which was circulated clandestinely; and supposing the names of some affixed without their authority, there is no ground for supposing that the remonstrance did not issue from a greater or less number of those whose signatures it bore.

extravagancies came under the notice of the parliament this year. There is something little less irrational, and incomparably more revolting, in the manner in which he was treated. A poor maniac, whom sane men should have consigned to an hospital for lunatics, was punished as a blasphemer, with stripes, irons, and the pillory. Naylor had been a soldier, and, after nine years' service, was discharged as an invalid * : his faculties were possibly impaired with his bodily health ; he became a follower of George Fox, the father or founder of a religious community, whose moral discipline and social virtues constitute perhaps the most remarkable phenomenon of modern ethics. The quakers were an off-shoot from the independents, holding the same right to understand the Scriptures according to the inward light of the individual, which is but another name for interior conscience and conviction ; entertaining the same aversion to a priesthood, the same principles of toleration ; but differing in one essential particular, which gave an opposite cast to the whole conduct and character of their lives. The independents girt themselves with “the sword of Gideon” in defence of their religious and civil liberties; whilst the quakers preached passive suffering, the moral virtues, benevolence and peace.

George Fox was born in humble life ; he was brought up a shepherd, with scarcely the rudiments of education ; he distinguished himself as a boy of serious temper and firm character ; he discoursed as he grew up of corrupt doctrine and church steeples, the luxurious worldliness of the clergy, the sins and vices of the laity, the beauty of holiness and virtue, the obligations of honesty and truth in all human dealings, universal peace among men, with so much unction and zeal that he made many proselytes ; he was punished as a blasphemer with incarceration, whipping, and the stocks ; he bore all this with heroic piety and patience ; he converted his hardened jailor and dissolute fellow-prisoners ; he was finally brought before Cromwell, and released by him with expressions of re-

* State Trials, v. 803.

spect and kindness.* Naylor having heard him preach, became the most zealous of his disciples. His enthusiasm soon ended in the wildest delusions. He fancied that Christ dwelt within him†; found persons, chiefly women, whose imaginations were as crazed as his own, to strew his path with draperies and sing “Holy, holy, holy Lord God of Israel! Hosannah to the Highest!” as he entered the city of Bristol, in imitation of Christ’s entry into Jerusalem. He was here imprisoned by the magistrates, finally brought under the cognisance of parliament as a blasphemer, and escaped the punishment of death only by a majority of ninety-six to eighty-two. The independents, religious and political, having rescued the life of Naylor from the presbyterians by this vote, abandoned to the intolerance of that party an unhappy being whose crazed extravagancies brought scandal upon religious toleration and the party of independents. His sentence was whipping, the pillory, the boring of his tongue, the branding of his forehead, his being carried through Bristol on horseback with his face backward, solitary confinement and hard labour during the pleasure of parliament.‡

The punishment of Naylor deserves notice, not only as a memorial of barbarous fanaticism but of the barbarity and confusion of English jurisprudence at the time. The law of nature, the law of Moses, the ordinance against blasphemy, the capital jurisdiction of parliament in the house of lords now merged and vested in the commons, were variously urged in support of the judgment of death upon a blasphemer with the most revolting violence and obliquity of construction.§ Cromwell’s aversion to the punishment of death was stated in the debate, and he addressed a letter to the speaker, suggesting caution and regularity to the parliament in its proceedings.|| Had

* Journal of George Fox.

† The delusions of Naylor were wild enough without exaggeration. He is stated by Hume, and other writers, as representing himself to be Christ come upon earth in his identity.

‡ He was released after the death of Cromwell by the second parliament in September 1659. Whitelock, 683.

§ See State Trials, vol. v. Whitelock’s speech, ibid. Burton’s Diary, vol. i.

|| Journ. Dec. 1656. Burton’s Diary, vol. I. At this period John Biddle,

he lived to consolidate his power, it is probable that he would have made some atonement for his usurpation and tyranny by introducing more of reason and order into the laws.

1657. A plot, according to all royalist and some republican writers merely pretended, but proved real by fair evidence, drew still closer the relations between the parliament and protector. The historic supposition is that it was fabricated for that purpose. Syndercombe, a republican officer, who had been quarter-master to Monk in Scotland, and dismissed on suspicion of being concerned in Overton's plot, was the most prominent, but not the chief conspirator. The protector in opening the parliament glanced at a foreign invasion in concert with domestic traitors.* The republicans, in their indignation at the perfidy of Cromwell, opened a negotiation with the court of Spain. Their agent was Edward Sexby, who from a private soldier and agitator had now the rank of colonel. He proceeded to Madrid, proposed a plan of invasion, and declared that he and the other republicans would be satisfied with a free parliament, of which the first act should be to restore the king, with limitations for the safety of civil and religious freedom.† The court of Madrid, always dilatory, and then negotiating with Charles II. and the royalists, could not be brought to specific terms, and the design of invasion remained in suspense.

A shorter course offered itself in the assassination of Cromwell. Syndercombe undertook to kill the protector on his way from Whitehall to Hampton Court, and was apprehended in bed with two accomplices on the eve of the day fixed for the execution of the plot.‡ He was con-

a Socinian, maintained obnoxious opinions with the zeal of an enthusiast, the arguments of a man of information and capacity, and better fortune than Naylor. The presbyterians of the parliament of 1654 ordered his books to be burned; in 1655 he was prosecuted for blasphemy as a capital offence by the same party; was rescued by Cromwell, who confined him in the Isle of Scilly with a pension of 100 crowns a year for his support, and finally released by habeas corpus and the consent of Cromwell in 1658.

* Burton's Diary, i. 356, &c.

† Clar. State Papers, iii. 272, &c.; Thurloe, vi. 831.

‡ Burton's Diary, i. 332. 354, 355, &c. Clar. State Papers, iii. 235, &c. Thurloe, v. 774, &c.

victed of treason under the 25th of Edward III.* ; ordered for execution, to take place on the 14th, and found dead in his bed on the preceding night of the 13th. A coroner's jury found a verdict of *felo de se*; and he was buried on Tower Hill with the barbarous formalities which so long disgraced the law of England respecting suicide. His guilt was proved by the evidence of his accomplices on his trial, and by colonel Sexby in his written confession whilst confined in the Tower.†

The government of the protector was marked in its stages by flagrant acts and epochs of tyrannic violence, but conducted in its general march with profoundly mysterious art. It is therefore difficult, if not impossible, to discover the motive springs of his policy, and nothing remains but to exhibit its visible movements.

A bill of supply for the maintenance of the militia (the army was maintained by assessments) was brought in at the close of the preceding year. It proposed to give the sanction of parliament in the form of an act to the levy of the tenth penny on the property of royalists by ordinance of government. The bill would sanction by implication, at the same time, the appointments of major-generals, whose arbitrary jurisdiction over person and property was oppressively and odiously exercised. It was opposed on two grounds; first, as a violation of the act of indemnity; next, as a measure of which the execution would be committed to the discretion of military officers. Several members of the council of state defended the bill; but it was opposed by Whitelock, commissioner of the treasury, a tractable, time-serving, and sagacious politician; by colonel Henry Cromwell, cousin of the protector; by Claypole, the husband of his favourite daughter, and his master of the horse.‡ The debate continued from the 7th to the 29th of January, when the bill was rejected by a majority of 124 to 88; and Cromwell not

* Glyn, chief justice, ruled that protector was under the statute synonymous with king. (See State Trials, v. 842, &c.)

† See Syndercombe's Trial in State Trials, vol. v.

‡ Burton's Diary, Dec. 1656., Jan. 1657.; Journ. Jan. 1657.

only yielded with a good grace, but abandoned the major-generals.

The discussions of this bill were conducted with much warmth and personal asperity, growing chiefly out of the charges of oppression made upon the major-generals, and the vehemence with which such of those officers as were members of the house spoke in their defence.* Neither Whitelock nor Claypole lost favour with Cromwell; and colonel Henry Cromwell re-appeared in the house after an interview with the protector, clad ostentatiously in a scarlet mantle, which Cromwell took from his own shoulders to place upon his.† Under all the circumstances, it may be suspected, if not inferred, that Cromwell, through this business, secretly directed the proceedings of the parliament. There were more objects than one which he might have had in view: gaining the royalists by abandoning the decimation of their property; reconciling the nation to his government, by abolishing the authority of his satraps; giving the parliament an air of independence, preparatory to the grand stroke of policy which he meditated when he summoned it—assuming the style and title of king.

The protector's plan for placing the crown upon his head must have been the result of previous intrigue, concert, and corruption, of which there are no extant records. On the 23rd of February, sir Christopher Pack, an alderman, and representative of London, who had been lord mayor ‡, called the attention of the house to the unsettled state of the nation, suggested that, as the best remedy, “the lord protector might be desired to assume the title of king, as the best known and most agreeable kind of government to the English §;” and proposed that a bill which he held in his hand should be read. The proposition thus launched excited a fer-

* Burton's Diary, *ut suprad.* Ludlow, ii. 581, &c.

† Thurloe, State Papers, vi. 21.

‡ He is charged in Heath's Chronicle with the guilt of embezzling a charitable fund of which he was commissioner, and with having earned his pardon from Cromwell by this service.

§ Whitelock, prudent and temporizing, was requested to draw up and propose it, declined doing either, but declared his readiness to support it in the house. (Mem. 647.)

ment in the house. The murmurs and movement among the members were such, that Pack, from their violence, or the weakness of his nerves, was borne forcibly from his place near the speaker to the bar.* But the measures of Cromwell, and of his instruments, were too well taken to be defeated by a tumultuary explosion. Lord Broghill and Glyn suggested that entertaining the proposition would not bind the house. The reading of the bill under the name and form of "an address and remonstrance" of parliament, was carried by a majority of 144 to 54.† It was accordingly read, and proved to be a scheme of government, in seventeen articles‡; the essence of which was, the investiture of the government in Cromwell, with *two* houses of parliament. A motion that it should be discussed *seriatim* was next carried by a majority of 100 to 44. After successive debates from the 23rd of February to the 26th of March, the address and remonstrance received the less pretending name of "petition and advice;" and the blank left for the title to be borne by Cromwell was filled up with the word "King," by a majority of 123 to 62.§ The speaker, attended by the whole house, waited on the protector, at Whitehall, with the petition and advice, and exhorted him in the name of the parliament to comply with its prayer and conditions. The harangue of the speaker appears to have been an amplification of Pack's resolution, that the title and government of a king was best known and most agreeable to the English people, with the further recommendation that a king first introduced Christianity.|| Cromwell answered in vaguely general terms, and desired time to seek counsel of the Lord in private meditation. Thus ended the first scene of the comedy got up by Cromwell.

* Ludlow, ii. 584. M. Villemain, mistranslating Ludlow, says, in his *Histoire de Cromwell*, "Pack fut arrache bousquement de la tribune," &c. He forgot that in the English parliament the members speak from their places, not from a *tribune* as in France.

† See Parl. Hist. viii. 1490, 1491.

‡ Ibid. 1502. &c.

|| Journ. March, 1657.

|| Burton's Diary, vol. i. March 1657. Mercurius politicus, same month and year. Journals. Ibid.

Several interviews of the same character followed. The business took the shape of a state negotiation between the parliament and the protector. To detail the solemn mockery of the proceedings would be little profitable. The chief result would be only the exposure of Cromwell's hypocrisy, and of the adroit servility of those who affected to overcome by argument and importunity, the mock scruples of the apostate usurper.

The show was interrupted for a moment by an insurrection of persons, called fifth monarchy men. On the 11th of April, secretary Thurloe* acquainted parliament that several conspirators were arrested in arms, and that their purpose was to establish with the carnal sword the reign of the saints on earth, or the millenium of the Revelations. Their manifesto announced a sort of theocratic commonwealth, of which Christ should be the supreme head, “by right, conquest, gift, election, and inheritance;” the Bible should be the law; and the governing authority a sanhedrim, annually chosen by the Lord’s freemen. Their ensign was a lion couchant, with the motto from Genesis, “Who shall rouse him up?” The chief conspirator was Venner, a wine cooper. Harrison, Rich, Danvers, Lawson, and Okey were committed to the Tower. Their names were found among the papers of the conspirators, but they do not appear to have had any share in the plot. To the honour of Cromwell, not one even of the guilty suffered death.

The mock negotiation was resumed: it was voted a peremptory condition by parliament, that the protector should accept the whole “petition and advice,” including the title of king, or wholly reject it. Cromwell, convinced by the arguments of a committee of the house, in a conference†, submitted himself to the will of parliament,

* Thurloe, State Papers, iv. 132.

† The chief speakers in the committee were Whitclock, Lenthall (late speaker), Glyn (chief justice), colonel Wolsely, lord Broghill, commissioner Lisle, Nathaniel Fiennes, colonel Jones, and sir Richard Onslow. They variously urged upon Cromwell that kingship was interwoven with the laws, institutions, and affections of the English people; that the supremacy of parliament obliged him to accept it; that he was but the servant of the

to the interests of religion and liberty, and to the burden imposed on him by the title of king, and desired the parliament to attend him in the banqueting house, at Whitehall.* He was now on the eve of seizing the object of his more vain than wise ambition ; and it may appear somewhat extraordinary, that he did not sooner grasp it from his satellites. But there was in the parliament a small minority of those superior spirits—those men of intellect, principles, action, and resolution, who eventually rise above and rule the herd ; and the ambition of Cromwell had hitherto quailed before them. When he was now about to seize the prize, they dashed it from his hand.

This opposing band consisted of those who, according to Ludlow, “had still some affection for the commonwealth,” whilst they supported or submitted to Cromwell, and had a Roman and republican antipathy to the title of king,—the officers of the army, who either clung to the shadow of the republic in the protectorate, or were among the angry major-generals sacrificed by Cromwell. Lambert was considered the head of the army party. The establishment of hereditary succession, with kingship, would be a deathblow to his hopes of succeeding Cromwell. At his instigation, a hundred officers, in a body, waited on Cromwell, on the 27th of February, and earnestly dissuaded him from taking the obnoxious title.† He is said to have first rebuked, and then cajoled them, so successfully as to obtain their assent to the creation of another house of parliament, and to his having the nomination of his successor. The question of the title to be borne by the chief magistrate was postponed.‡

The intervention of some weeks between this inter-

nation, and therefore bound to lay aside his scruples and obey implicitly. Lenthall said with some truth that the public liberties would be more secure with a king whose prerogatives were known and limited, than under a protector whose power was undefined. But the conference was a mere masquerade, and Cromwell's recorded speech is a tissue of irrelevant rather than artfully evasive commonplaces.

* Parl. Hist. iii. 1499. Journ. May, 1657.

† Burton's Diary, Feb. 1657.

‡ Id. ibid.

view and the conference allowed Cromwell time to tamper with the officers. Among the most adverse to his taking the title of king were his brother-in-law Desborough, and his son-in-law Fleetwood. He invited himself to dine with Desborough, bringing with him Fleetwood, — introduced the subject nearest to his heart, — affected to make a jest of the title of king, — called it a mere feather in a man's cap, — and expressed his wonder that men of sense should refuse grown children, that is the herd of mankind, the enjoyment of their rattle.* Desborough and Fleetwood took the matter more seriously ; and he left them with the declaration, in a tone between jest and carelessness, that “they were a couple of scrupulous fellows.”†

This scene took place two days before the appointed meeting with the parliament to receive his final answer. Meanwhile he again met Desborough in St. James's Park, and communicated to him his resolution to take the title of king. Desborough replied, that “he gave him and his family up for lost ‡, but would not act against him §. Lambert and Fleetwood are said to have expressed the same opinion and taken the same resolution.||

Desborough, after parting from Cromwell, found colonel Pride ¶ waiting at his house, and imparted to him Cromwell's purpose to assume the crown. “He shall not,” said Pride, with laconic emphasis. “How wilt thou hinder it?” rejoined Desborough. “Get me,” said Pride, “a petition drawn, and I will prevent it.”

A petition was accordingly drawn by Dr. Owen, vice-chancellor of Oxford, and submitted to a council of officers. Lambert, Pride, Desborough, and Fleetwood declared themselves resolutely ; and Cromwell quailed before men inferior to him in capacity, in energy, in all but their principles. He sent a message to the parlia-

* Ludlow, Mem. ii. 586, 587.

† Id. ibid.

‡ Id. ibid.

§ Id. ibid.

|| Thurlow, State Papers, vi. 281.

¶ “Whom,” adds Ludlow, “Cromwell had knighted with a faggot stick.”

ment desiring that its attendance on him should be postponed from the next to a future day.

The officers lost not a moment in presenting their petition to the house. It was signed by two colonels, seven lieutenant-colonels, eight majors, and sixteen captains, who were in London on leave, or whose regiments were in or near the metropolis. There was not time to appeal to the distant and scattered regiments.

Desborough, in his place, announced that certain officers of the army attended with a petition. The house voted their admission to the bar, and it was presented by colonel Mason. Cromwell's majority were prepared for a petition in favour of his views.* To their surprise and consternation it set forth, "that the petitioners had hazarded their lives against monarchy, and were still ready to do so; that they observed some men endeavouring to bring the nation under the old servitude, by pressing their general to take upon him the title of king; that they humbly desired the house would continue steady to the good old cause, in defence of which they (the petitioners) for their parts were ready to lay down their lives."†

Cromwell, immediately apprised of what was passing in parliament, sent for Fleetwood, complained of the proceeding of the officers, when he said it was known that he would not take the title of king without their consent, and despatched him on the instant to the house in order to prevent further proceedings. Fleetwood accordingly rose in his place to say it was improper to enter upon the petition, or any other business, whilst the protector expected their attendance to receive his answer. The house, upon this suggestion, with the speaker, proceeded to Whitehall, and received from Cromwell his answer, refusing the title of king, with a hypocritical ostentation of modesty.

The title of lord protector was substituted for that of king in the petition and advice ‡, which, with this

* Ludlow, ii. 589.

‡ Journ. May 1657. The house divided, and the numbers were 77 to 45.

† Id. ibid. 590.

alteration, and some minor changes suggested by Cromwell, received his assent.

By this constitution of government the protector was empowered to name his successor, and to create a second legislative assembly, which, to avoid offending the republicans, was to be styled “the other [not the upper] house.” It provided one important security for the public liberty — the exclusive jurisdiction of the parliament over its privileges and constituent members. Cromwell was solemnly installed lord protector in Westminster Hall, on the 26th of June. The speaker presented him with a sceptre, a Bible, a purple robe, and a sword of state, and harangued him on the signification of those emblems; a herald proclaimed him; trumpets sounded, and the people shouted “God save the lord protector.” *

Whilst Cromwell, though disappointed of the crown, yet consolidated his government at home, the genius of Blake increased his power and renown abroad. Blake, once more in the sole command of the fleet, cruized during the winter (1656-7) off the coast of Portugal and Andalusia; sailed in the spring for the Canaries to intercept the Mexican fleet on its way to Spain, and discovered it at Teneriffe, in the bay of Santa Cruz. The Spanish admiral was aware of the presence of Blake, but deemed himself unassailable. Blake divided his squadron, and attacked the galleons with one division; whilst the other, under captain Stayner, entered the bay and attacked the forts. The action continued through eleven hours; the forts were silenced; the Spanish fleet was destroyed or abandoned; and Blake, with only slight loss, was enabled, by a fortunate change of wind, to recover the open sea. Having, on the 20th of April, achieved this service, he sailed for England; died as he approached Plymouth, on the 7th of August, in the 59th year of his age; and was buried with great pomp in Westminster Abbey.

England has produced few men whose characters do

* Exact Narrative, &c. (official). See Parl. Hist. iii. 1514, &c.

so much honour to the nation. A republican in virtue as well as sentiment and opinion, he never allowed the strife of parties, or the change of government, to influence his public duty. His flag once hoisted, he thought only of victory and his country. Profoundly earnest and sectarian in religion, he had the most exalted notions of religious toleration; — a warrior by land and sea, who had scarce laid aside his sword since the opening of the civil war, he loved and understood political liberty, and the arts of peace. Cromwell is said, by Ludlow, to have regarded his character and principles with suspicion or fear: he, however, was prepared to receive him with the highest distinction, and was most forward in doing honour to his remains. The restoration did homage to his virtue, in its way, by the exhumation of his ashes.

Cromwell, now considering the monarchy established in his person, and hereditary in his family, associated with him more prominently in the ceremonials of state and business of government the blameless imbecility of his eldest son, Richard, who had hitherto lived in retirement with his family. His second son, Henry, governed Ireland with a degree of capacity which should have recommended him to his father as his successor. Cromwell, doubtless, wished to preserve the sanctity of the new succession by adhering to the order of descent.*

It was at this period that he married two of his daughters, Frances and Mary, to the grandson and next heir but one† of the earl of Warwick and of lord Fauconberg. The duke of Buckingham, tired of the court of Charles II., or rejected by it for his extravagancies, came to England, asked one of the protector's daughters in marriage, was refused‡, and married the daughter of Fairfax. The protector is said to have rejected a

* Richard was chancellor of the university of Oxford, and Henry of Trinity College, Dublin. The name of Cromwell, odious in Ireland, is treated with particular injustice in reference to the university of Dublin. Archbishop Usher's library in that university was the donation of Cromwell.

† He died in a few months after his marriage.

‡ Thurloe, vi. 363.

more extraordinary candidate for the hand of his daughter, and the least to be expected to offer himself,—Charles II. The proposition or suggestion was made to him by lord Broghill. Cromwell paced the room in silent agitation, and exclaimed several times, that Charles could not forgive him the death of his father.”*

A distinguished living historian of France thinks it impossible that Charles should have descended to an alliance so base.† But both Cromwell and the historian seem to have overrated his filial and other virtues. Charles was base enough to descend to any means of supplying his prodigal sensualities; and he, in point of fact, solicited and was refused the hand of Hortensia Mancini, one of the nieces of Mazarin.‡

Ireland, it has been observed, was governed by Henry Cromwell, with such a mixture of firmness, discretion, and tolerant indulgence in religion§, that the people, if not contented, were at least quiet. The same, or greater tranquillity, prevailed in Scotland, under the vigorous administration of Monk. Cromwell, upon his recent installation, appeared as firmly seated as any monarch of his time. It has been remarked by more than one writer, as a proof of the vigour of his genius and his government, that the false step of aspiring to the crown, and failing

* See Orrery's Letters, &c.; and Burnet's Hist. of his Own Times, vol. i.

† M. Villemain, Hist. de Cromwell, ii. 182.

‡ She was the duchess of Mazarin, famous for her suits of separation with her husband, and for her gallantries, who fled to England, offered to become mistress of Charles II. and was refused.

§ The parliament, in 1657, passed an odious act for the discovery of popish recusants. Cromwell had two motives in suffering or suggesting this act, which was not at all accordant with his temper or principles; first, to gratify the intolerance of the presbyterians, whom he sought to conciliate as monarchists; next, to supply revenue by muleting the estates of the Catholics. Henry Cromwell mitigated, if he did not wholly neutralise, this act in Ireland. Writing to Thurloe, he says (Thurloe State Papers, vi. 27.), “The oath of abjuration begets much disturbance here. The Irish, upon apprehension hereof, sell off their cattle to buy horses, and put themselves into a shifting condition, either for force or flight. Sober men are very apprehensive of the issue of this business. I wish this extreme course had not been so suddenly taken, coming like a thunderclap upon them. I wish the oath for the present had provided (though in the severest manner) for their renouncing all foreign jurisdiction; and, as for other doctrinal matters, that some means had been first used for informing their judgments, with such ordinary smaller penalties as former experience has found effectual. I wish his highness were made sensible of this in time.”

to obtain it, did not weaken his power. But this seems a mistake. No politician, perhaps, ever made a false step with impunity ; and Cromwell's imprudence, so far from being innoxious, was a fatal one. In the means and arts which he employed to restore kingship, he divulged the secret that the nation preferred the government of a king ; and by the refusal of the crown, extorted from his fears, he launched upon the public mind the fatal implication, that the king desired by the people was Charles Stuart. This incident then concentrated and incalculably raised the hopes of the royalists, and prepared men's minds for the restoration.

The effect upon the republicans was equally injurious to him. He increased the disgust of the seceders, impaired the confidence of those who supported his usurpation, and disclosed the secret that he had not servants, but masters, in the military officers. If his government was unassailed, and continued strong to his death, it should be ascribed to the personal energy and sagacity with which he administered it, and the repose in which both royalists and republicans awaited the contingency of the death of an individual of advanced age, exposed to more than common perils. * His only breach, immediately following his investiture, was with Lambert. That officer, from some caprice of vanity, rather than from principle or even ambition, did not appear at the council table to take the oath of fidelity to the protector, and was deprived of his military command, but allowed a pension of 2000*l.* a-year in his retirement. †

* Mrs. Hutchinson (*Mem.* ii. 212.), writing of the position of Cromwell in respect to the royalists at this period, says : — “The cavaliers, seeing their victors thus beyond their hopes falling into their hands, had not patience to stay till things ripened of themselves, but were every day forming designs, and plotting for the murder of Cromwell, and other insurrections, which being contriv'd in drinke, and manag'd by false and cowardly fellows, were still reveal'd to Cromwell, who had most excellent intelligence of all things that past, even in the king's closett ; and by these unsuccessful plotts they were the only obstructors of what they sought to advance, while, to speake truth, Cromwell's personal courage and magnanimity upheld him against all enemies and malcontents.”

† Ludlow, ii. 593, &c. Thurloe, vi. 427. Mrs. Hutchinson gives the following curious account of a conspiracy formed by Lambert against the life of Cromwell, and defeated by her husband. The veracity of this admirable woman is beyond question ; but the exactness of her narrative, and

This year should not close without glancing at Cromwell's relations with foreign powers. His treaty of alliance offensive and defensive, already mentioned, with France, was finally signed in March 1657. Six thousand English auxiliaries, commanded by sir John Reynolds, landed at Boulogne about the middle of the following May. The valour of the republican army of England was renowned throughout Europe. The young king of France, whose armies were soon after no less renowned, came expressly to review them, and expressed his admiration of their personal appearance and discipline.* The chief object of victory, the possession of Dunkirk, was engaged to the protector; and the French were so dilatory in their operations that Cromwell instructed Lockhart, his ambassador, to remonstrate peremptorily with Mazarin. That cunning churchman, of whom it was said that he feared the devil less than the protector, was terrified out of his habitual finesse†; and the first con-

even the reality of the plot, may be doubted.—“ Some of the Lambertonians had at that time a plott to come with a petition to Cromwell, and, while he was reading it, certaine of them had undertaken to cast him out of a window att Whitehall that lookt upon the Thames, where others should be ready to catch him up in a blankett, if he scap'd breaking his neck, and carrie him away in a boate prepar'd for the purpose to kill or keepe him alive, as they saw occasion, and then sett up Lambert. This was so carried on that it was nere the execution before the protector knew anything of it. Coll. Hutchinson being at that time at London, by chance came to know all the plott; certaine of the conspirators coming into a place where he was, and not being so cautious of their whispers to each other before him, but that he apprehended something, which making use of to others of the confederates, he at last found out the whole matter, without being committed to him as a matter of trust, but carelessly throwne downe in pieces before him, which he gather'd together, and became perfectly acquainted with the whole designe; and weighing it, and iudging that Lambert would be the worse tirant of the two, he determin'd to prevent it, without being the author of any man's punishment. Hereupon having occasion to see Fleetwood (for he had never seene the protector since his usurpation, but publickly declar'd his testimony against it to all the tirant's minions), he bade Fleetwood wish him to have a care of petitioners, by whom he apprehended danger to his life. Fleetwood desir'd a more particular information, but the collonell was resolv'd he would give him no more than to prevent that enterprize which he dislik'd.” — *Mem.* ii. 213, 214.

* Thurloe, vi. 230, 231. 288.

† The ascendant of Cromwell over Mazarin has been illustrated by a curious anecdote. An English merchant vessel was unjustly confisced on the coast of France, and the owner, an honest quaker, applied to Cromwell for redress. The protector asked him whether he would make a journey to Paris with a letter, was answered in the affirmative, and despatched the quaker with a letter to cardinal Mazarin demanding redress within three days, at the expiration of which he peremptorily ordered the

sequence was the capture of Mardyke. The place was delivered provisionally to Cromwell as a security for Dunkirk. This was the last important operation of the year. The succeeding campaign gave new lustre to his arms and his government; but a few months only interposed between him and the tomb!

Parliament met pursuant to adjournment on the 28th 1658. of January. Two important changes were made in its form and constituent elements in compliance with the "humble petition and advice," — the excluded members were freely admitted to their places, and the protector had, meanwhile, created "the other house." The admission of near a hundred members, whose only disqualification was in their courage and principles, recruited the house of commons with able, fearless, and irritated republicans. A house of lords, despised by what remained of the peerage, and abhorred by the democracy, with no ingredient, in short, which Cromwell could find available but its subserviency, was a feeble counterpoise to the new mass of adverse passion and power in the commons, — the more formidable and restless that some of the most able and active of the protector's satellites were withdrawn from the house of commons to the other house. In the list of 61 persons who constituted the protector's second house, are found his sons; his sons-in-law; Desborough and Jones, married to his sisters; the members of his council; the commissioners of the great seal and treasury; Pride, Berry, Goffe, Hewson, and other officers who had the chief share in defeating his attempt to become king. A reference to the names* will show that there were in this assembly men like Whitelock, possessing too much

quaker to return. He obeyed, and presented himself to Cromwell. "Well, friend, hast thou thy money?" said the protector. The quaker said, No. Cromwell desired him to take no further trouble, as he should take the matter into his own hands. He accordingly seized and sold the two first French ships within his reach, indemnified the quaker out of the proceeds, and paid over the surplus to the French ambassador, who submitted to this very summary proceeding.

* See Parl. Hist. iii. 1518, &c.

prudence; others like Fleetwood, Desborough, and Pride, possessing too much principle,—to be implicit instruments of the protector. Of the republicans, Haselrig disdained his summons, and continued to sit in the house of commons: of the peerage, lords Warwick, Manchester, Mulgrave, Say, and Wharton did not appear. Warwick, who was the friend of Cromwell*, and whose grandson was married to his daughter, declared that “he could not sit in the same assembly with colonel Hewson, who had been a shoemaker, and colonel Pride, who had been a drayman;—and had they driven no worse trade,” adds Ludlow, “I know not why any good man should refuse to act with them.”†

The object of Cromwell was to combine the ancient nobility with men who had risen, by the sword and their services, from the people, and he wholly failed. His position was difficult. It is expressed with point and truth by Thurloe in a letter to Henry Cromwell, lord deputy of Ireland. “The difficulty,” he says, “proves great between those who are fit and not willing to serve, and those who are willing and expect it and are not fit.”‡ But the difficulty of his position was in its political or tyrannical obliquity — by a just and salutary retribution in the moral order.

Cromwell in his writs of summons adopted the regal style of “we,” “us,” and “our,” and opened the session according to the ancient form. An usher of the black rod summoned the commons to attend his highness the lord protector in the house of lords, and his highness began his speech with, “My lords and gentlemen of the house of commons.” His speech is more than usually obscure and involved, irrelevant and mystical. It was also unusually short, which he accounted for by the state of his health. He again, at its close, mentions his infirmities, and, following up the regal style, refers them to lord commissioner Fiennes, who harangued

* See his letter to Cromwell a few weeks before his death in Godwin, iv. 528, &c.

† Mem. ii. 596.

‡ State Papers, vi. 648.

them accordingly in a strain of rhetorical conceits and religious mysticism.*

The commons returned with fixed resolution and new resentment to their own house. Bradshaw, Vane, and some other zealous republicans were not of the house; but among the opposition leaders were Hazelrig, Scot, Anthony Ashley Cooper (Shaftesbury), and Chaloner Chute.† After three days' preliminary sitting, a message "from the lords" desired the concurrence of the commons in an address to the protector for a fast. The commons protested against the title, — would admit no other than that of "the other house." It was even maintained that the new house was not a co-ordinate legislative assembly, but invested only with certain functions of judicature. This view, wholly inconsistent with the text of "the petition and advice," only proves the temper and purposes of the commons. They were evidently resolved not to acknowledge Cromwell's house of lords.

This point continued under discussion to the 4th of February.‡ Cromwell then summoned them to attend him at Whitehall, advised and remonstrated with them, and only incited them to a still more direct attack upon his authority. It was proposed to call in question the validity of every act done by the parliament during the late exclusion of 100 of its members. This was, in other words, to invalidate the "petition and advice" itself, which was now the basis of his government. A second message desired the concurrence of the house of commons in an address for severer measures against papists and malignants. The attempt to play upon the fanaticism of the republicans wholly failed.

Cromwell was not only alarmed by the proceedings

* "Au milieu de ces bizarriés," says M. Villemain, "il compare assez eloquement l'obstination des républicains dans la poursuite de leurs chimerres à ces efforts tentés pour retrouver le temple de Jérusalem." It is easy to perceive that M. Villemain was here thinking of other republicans than those of the English commonwealth. There was neither less *bizarries*, nor more eloquence in this comparison which he commends, than in those which he disdained to cite.

† Burton's Diary, Jan. 1658.

‡ Id. ibid.

of the commons, but haunted by the fear of conspiracy. He distrusted even his own body guard, and made the round of the posts at Whitehall during several nights in person.* Nothing remained for him but a dissolution. On the morning of the 4th of February, a fresh alarm, "concerning," says Ludlow, "the diligence of his adversaries in all parts," so affected him that he rushed out of Whitehall; threw himself into the first coach that presented itself; proceeded with six of his guards and his nephew, colonel Cromwell, to Westminster; met Fleetwood, and acquainted him with his intention. Fleetwood tried to dissuade him; but "he clapped," continues Ludlow, "his hand on his breast, and swore by the living God he would do it." He accordingly sent the usher of the black rod to summon the commons to attend him in the house of lords. They were engaged in discussing the title of "the other house" when the usher appeared, and adjourned the question to their return. It would thus seem that they were not prepared for a dissolution. There is in Cromwell's speech a curious blending of hypocrisy and truth, cajolery and remonstrance. He begins with not only moderation but humility:—

"I had," he says, "very comfortable expectations that God would make the meeting of this parliament a blessing; and, the Lord be my witness, I desired the carrying on the affairs of the nation to these ends: the blessings which I mean, and which we ever climbed at, were mercy, truth, righteousness, and peace, which I desire may be improved. That which brought me into the capacity I now stand in was the petition and advice given me by you, who, in reference to the ancient constitution, did draw me to accept of the place of protector. There is not a man living can say I sought it; no, not a man nor woman treading upon English ground. . . . I can say, in the presence of God, in comparison of whom we are but like poor creeping ants upon the earth, I would have been glad to have lived under my wood-

* Ludlow, ii. 598.

side, to have kept a flock of sheep, rather than undertook such a government as this is. . . . I did tell you, at a conference concerning it, that I would not undertake it, unless there might be some other persons that might interpose between me and the house of commons, who then had the power to prevent tumultuary and popular spirits ; and it was granted I should name another house. I named it of men that shall meet you where-soever you go, and shake hands with you, and tell you it is not titles, nor lords, nor party, that they value, but a Christian and an English interest : men of your own rank and quality, who will not only be a balance unto you, but to themselves, while you love England and religion. . . . God is my witness, I speak it—it is evident to all the world and people living, that a new business hath been seeking in the army against this actual settlement made by your consent. . . . You have not only disjoined yourselves, but the whole nation, which is in likelihood of running into more confusion, in these fifteen or sixteen days that you have sat, than it hath been from the rising of the last session to this day, through the intention of devising a commonwealth again, that some of the people might be the men that might rule all ; and they are endeavouring to engage the army to carry that thing. And hath that man been true to this nation, whosoever he be, especially that hath taken an oath, thus to prevaricate ? These designs have been among the army, to break and divide us. I speak this in the presence of some of the army, that these things have not been according to God, nor according to truth, pretend what you will. These things tend to nothing else but the playing the king of Scots' game, if I may so call him ; and I think myself bound, before God, to do what I can to prevent it. . . . The king of Scots hath an army at the water side, ready to be shipped for England. I have it from those who have been eyewitnesses of it ; and, while it is doing, there are endeavours from some, who are not far from this place, to stir up the people of this town into a tumult-

ing : what if I said into a rebellion ? And if this be the end of your sitting, and this be your carriage, I think it high time that an end be put unto your sitting ; and I do dissolve this parliament : and let God judge between me and you."*

This conclusion of his speech was answered from the commons with a loud and general murmur of "Amen." Thus ended Cromwell's last parliament, after sitting only fourteen days.

The protector has been no less severely condemned for this than for his former various acts of power, and Whitelock as well as Fleetwood tried earnestly to dissuade him. But Cromwell was guided not only by that instinct of danger which is felt with most quickness and truth by him who is its immediate object, but by the secret information which he exclusively possessed. Threatened with destruction from republicans and royalists at home and abroad, he had no alternative. His situation is described as follows, in a letter† of Samuel Hartlib, the correspondent of Milton :— " Believe me, sir, it was of such necessity, that if the session had continued but two or three days longer, all had been in blood, both in city and country, upon Charles Stuart's account. An army of 10,000 might have appeared with an ugly petition to the parliament for the re-establishing this person, presuming they should find a party favourable to their views in that assembly. Another army of 10,000 men was at the same time preparing to land in England, by the juggling (to say no worse) of our good neighbours on the continent. Besides, there was another petition set on foot in the city for a commonwealth, which would have gathered like a snowball. But, by the resolute, sudden dissolving of the parliament, both these dangerous designs were mercifully prevented."

Of the existence of the republican petition there is no doubt. It is stated to have been signed by many thousands,

* Parl. Hist. iii. 1525, 1526, 1527.

† Ayscough MSS., cited by Godwin, iv. 493.

with the intention of being presented by a deputation of twenty at the bar*; its chief objects were the just power and freedom of parliament in taxing the people, and the punishment of offenders only according to the law of the land.† The royalist petition is of more doubtful credit; but it seems certain that there was an understanding between the royalists and republicans. The widow of colonel Hutchinson, clear-sighted, intelligent, and in a position to be well informed, accounts for this strange union. “A third party,” she says, “was ready both with arms and men when there was opportunity to have fallen in, with swords in their hands, for the settlement of the rights and liberties of the good people.”

Cromwell having dissolved the parliament, fell back with more resolution than confidence upon the army. He summoned a meeting of officers at Whitehall immediately after the dissolution, and harangued them for two hours with such congenial eloquence that they answered with assurances to live or die with him. This response, however, was not universal; he addressed himself to Packer and Gladman, the one major the other captain in his body guard, and demanded their sentiments. They declared in reply their readiness to fight against Charles Stuart and his adherents, but refused to engage themselves against “they knew not whom for they knew not what,” and were removed from their commands.‡ He at the same time summoned the lord mayor and common-council of London, and harangued them upon the state of public affairs in vindication of his conduct.

Cromwell, it has been observed, was threatened at once with invasion and conspiracy. The marquis of Ormond came secretly to London during the sitting of parliament, passed three weeks in conspiring with the royalists and intriguing with the republicans, and returned unmolested to Charles II., then at Bruges.§ But Cromwell was

* Thurloe, State Papers, vi. 781. Ludlow, ii. 598.

† It is to be found in print among the pamphlets of the period.

‡ Thurloe, State Papers, vi. 786. Ludlow, Mem. ii. 599.

§ Clar. vii. 242.

fully apprised of his presence and his proceedings. He asked Broghill whether he was aware of the arrival of an old friend. Broghill asked who it was ; he was told by Cromwell it was the marquis of Ormond, and professed his entire ignorance of the fact. "I know it well," said Cromwell, "and I will tell you where he is, in order that you may save your old acquaintance."* This was not mere magnanimity in Cromwell, but rather the effect of fearless temper and superior calculation.† He suffered the plotters against his government and life to develope their designs, and interposed at the last moment to defeat the execution. His chief instrument appears to have been sir Richard Willis, already named, at once the confidant of Charles and Clarendon, and the spy of Cromwell and Thurloe. Harrison, Carew, and other republicans were once more imprisoned under charge of a conspiracy respecting which little is known, but of the existence of which there seems no reasonable doubt.‡

A secret, and it may be called invisible, committee of royalists sat in London, under the name of "the sealed knot." They directed, without being known to the great body of the royalists. Cromwell, during their fancied security, not only knew but governed their proceedings

* Mem. prefixed to Orrery Papers.

† A remarkable instance of Cromwell's secret information is told by several writers. A known royalist asked his leave to travel, obtained it with the condition that he should not see Charles Stuart, was asked on his return by Cromwell whether he had observed the condition, and replied confidently in the affirmative. "When," said Cromwell, "you met Charles Stuart, who put out the candles?" The traveller was surprised, made no answer, and in reply to a second question, declared that nothing material passed between him and Charles. "Did he not," continued Cromwell, "give a letter, now secreted in the lining of your hat?" The hat was examined, the letter discovered, and the traveller sent to the Tower. Manning, an English follower of the court of Charles, was suspected of being the spy, and on the evidence of his ransacked cabinet was summarily executed in the territory of the duke of Neuburg. (Ludlow, ii. 609.)

There is another anecdote which illustrates the terror as well as secrecy which guarded the conferences of Cromwell with his secretary in his secret cabinet. Cromwell having come late at night to Thurloe's cabinet, and conferred with him some time, observed a person in the room, started up and drew a poniard to despatch him. It was Thurloe's secretary, Moreland, who lay fast asleep after two nights' watching — upon Thurloe's assurance of which Cromwell spared him.

‡ See Godwin, vol. iv. book 4.

through their perfidious accomplice. Russell, Compton, Clayton, members of the sealed knot, and Willis himself, to disguise his treachery, were arrested and sent to the Tower. Three commonwealth's men,—Topham, Norton and Stapely,—were gained over to the royal cause, and their machinations detected and defeated. The Spanish invasion* from Flanders, to be conducted by Charles in person, was contingent upon an insurrection thus prevented by Cromwell,—if, indeed, the Spaniards were in a condition to think seriously of invading England. Clarendon denies the purpose of invasion; but his assertion, especially on this point, is entitled to little confidence.

Of the royalist conspirators, three only were brought to trial,—Dr. Hewit, an episcopal clergyman; sir Henry Slingsby, already named as engaged in Wilmot's or Penruddock's insurrection; and Mordaunt, brother of the earl of Peterborough. Cromwell, afraid to trust a jury, had them tried by a high court of justice. Hewit, an uncompromising royalist and indefatigable intriguer, denied the legal competency of the court, refused to plead, and after examination of witnesses as if he had pleaded, was found guilty. Slingsby pleaded not guilty; but urged as his defence that he was a prisoner at the time of the alleged offence, and that he had never acknowledged the actual government. He too was convicted; and both were executed at Tower-hill.† Mordaunt was saved by the ingenuity and affection of his wife. She bribed the chief witness against him to abscond, and contrived that a slip of paper communicating her success, and entreating her husband to abandon his intention of denying the competency of the court, should reach him. He accordingly pleaded, and was acquitted by the casting vote of the president.‡

* Respecting this designed invasion, see Life of James II. from his MSS. Memoirs, i. 330.

† Cromwell's daughters are said to have interceded in the most earnest and amiable manner with him for mercy. But this is evidently exaggeration, if not invention, to render Cromwell odious, which Ludlow and Clarendon were equally disposed to do.

‡ See their trials in State Trials, vol. v., and the examinations relating to the conspiracy in Thurloe's State Papers, vol. vii.

It would appear that Cromwell, acting upon his system, permitted a section of the royalist conspiracy to proceed undisturbed, until the very last moment of executing their design to seize London. On the 15th of April, the city guards were doubled; and colonel Barkstead, lieutenant of the Tower, surprised about forty of the conspirators at their rendezvous in Cheapside. Seven only were brought to trial, six convicted, and three executed. The government of Cromwell was despotic, but singularly mild; yet have Clarendon and other royalists, with the atrocities of the restoration before their eyes, charged cruelty and bloodthirst upon him for these few executions out of so many convictions.

Cromwell had thus, by his vigilance and vigour, prevented insurrection at home, and invasion, if really intended, from abroad. The success of his arms in the Low Countries was still more imposing and brilliant. Sir John Reynolds having been lost on his passage to England, the command-in-chief was taken by Lockhart, accomplished alike as a soldier and diplomatist. The first operation of the second campaign was unfortunate. A French corps of 1500 men, deceived by false intelligence from the town, and a white flag on the ramparts of Dunkirk, was captured, with its commander the duc d'Aumont.

This failure was soon effaced by the siege and capture of Dunkirk. Cromwell had insisted that the siege should commence by the 20th of May; an English squadron was already prepared to co-operate, and a reinforcement of 2000 English troops arrived at the opening of the trenches. The siege derived peculiar interest and lustre from circumstances. Louis XIV., still under the tutelage of Mazarin, and attended by him, was present, but only as a looker on.* The French army commanded

* According to Voltaire, he came no nearer the scene of action than Calais, whilst Villemain (*Histoire de Cromwell*) describes him as appearing for the first time "*au milieu de son armée*." M. Villemain should have taken some notice of this discrepancy, or cited some authority for his version, in order to guard against the suspicion of writing the history of one age as the courtier of another. Voltaire ascribes, most unsatisfactorily, the awkward distance at which Louis XIV. remained to the tutelage of

by the famous Turenne, and the English auxiliaries by Lockhart, invested the town ; and don Juan of Austria with 3000 Spaniards, the great Condé, the duke of York, and the duke of Gloucester, advanced to its relief.

The French, fighting for the first time under the eye of their king, would naturally show more than their accustomed gallantry ; but the minister and the commanders were in no haste to make a conquest for the sole advantage of their ally, and they proposed to suspend the siege at the approach of the enemy. Lockhart told them the French arms would be dishonoured, and the protector provoked to break the alliance. The appeal to French honour determined the officers—fear of Cromwell the minister : the siege was pressed with renewed vigour ; the Spaniards came up by forced marches, and Turenne without relaxing the siege offered them battle. The result was the famous battle of the Downs. The adverse armies were commanded by the two most renowned captains of Europe in their day — Turenne and Condé ; for Cromwell, it will be remembered, had no opportunity of putting his military genius to the test on the great theatre of Europe. Condé was placed under great disadvantages. He fought against his country, out of contempt of its minister and hatred of its court ; his authority was crippled by Spanish jealousy and pride ; and his advice against hazarding a battle in the respective positions over-ruled. Meeting the duke of York after viewing the ground, he is said to have asked him this question, “ Did you ever see a battle lost ? You are going to have that advantage now.”* Lockhart,

Mazarin. But the simple truth is, that this pampered tyrant, with all the strutting pomp and vanity of soldiership, wanted personal courage, and was described as a mere braggart (*fanfaron*) by the count de Guiche ; whilst Lafare says, that he kept so palpably out of the reach of danger in the field, as to damp the troops.

* This anecdote is told by Voltaire (*Siècle de Louis XIV.*), who had access to the papers of the prince of Condé, and other persons distinguished in the history of France at this period. But the duke of York himself has recorded (*Life of James II.* from his MSS. *Memoirs*, i. 344.) an expression of Condé, which seems but a different version of the same thing. Don Juan and the marquis of Caracena could not be persuaded that the French intended to give battle, though the duke of York reported that their movements left no doubt of their intention. “ Before,” says he, “ I

with 6000 English and 3000 French placed on the left wing, after a fierce conflict, dislodged and routed the Spanish right commanded by don Juan and the duke of York, and came to the relief of Turenne engaged on the other wing with his rival the great Condé.* The

could add any other arguments for the confirmation of my opinion, or don Juan had the leisure of replying, the prince of Condé came up to us and gave the same account, and seeing the duke of Gloucester there, asked him if he had ever seen a battle; who telling him he had not, the prince assured him that within half an hour he should behold one." It further appears from the duke's narrative, that Condé, instead of opposing, as he pretended, the choice of ground, was silent in the council of war when it was proposed by don Juan, whom he was not on any occasion inclined to contradict: — "The prince of Condé," says James, on another occasion, "asked me why I would venture to contradict don John as I had done? to which I answered, because I had no desire to be forced to run again as we had done so lately at Dunkirk."

The prince of Condé, with his genius and activity, must have despised and despaired of two such commanders as his Spanish colleagues are described even by James to have been: —

" But that the reason of all these miscarriages may be more evident, it will not be amiss to take some view of their way of living. As for don John, he observ'd the same formes of gravity and retirdness in the field, as he us'd when he was at Bruxelles; as it was full as difficult to get access to him abroad, as at home: for as I observ'd before, at that very time when the convoy above mention'd was passing by, he and the marquis de Caracena were taking their siesta within a feild or two of the plaine; and tho they who were about them saw the convoy coming down the hill, yet they durst not awake them to give them intelligence of it, which had it been done, the convoy must of necessity haue been taken: and it appears yet more strange to me, that men of so much bravery and good sence as both don John and the marquis de Caracena were, should let themselves fall into those formes, which they could not but understand must occasion the loss of many opportunitys and prove very prejudiciale to their master's seruice, as well as to their own particular reputation.

" The marquis was certainly a very good officer, had serv'd long, and pass'd through all the degrees, in so much that by his own merite he had advanced himself to the post which he then enjoyd. And had not don John had the misfortune (as I may call it) to be educated as a son of Spain, he had undoubtedly prov'd an extraordinary man, being endued with very good naturall parts, as well as courage: But, as I sayd, neither he nor the marquis alter'd their way of living in the feild, from what they had practis'd when they were at Bruxelles. When the army march'd, they were never at the head of it, unless perhaps in presence of the enemy; but by that time half the army was march'd out of the camp, they gott on horseback, and went at the head of their three troopes of guards straight forward to their quarters; never so much as once minding the army, nor going before to see wher the camp was mark'd out for them, nor to view the place which was chosen by the generall officer: so that in case of an allarme or approche of an eneny, they knew nothing of the ground, nor so much as where the main or the advanced guard were. As for don John, he for the most part went directly to bed, how early soever it were, when he came to his quarter; he likewise sup'd in bed, and rose not till next morning; and those days when the army did not march, he seldom stirr'd abroad, or gott on horseback: so that the major-generalls, in effect, did all the office of the generalls." — *Life of James II. from his MS. Mem. i. 311, 312.*

* Some doubt is thrown upon this latter operation by M. Villemain; and it is mentioned, not in Lockhart's letter written next day, but in an anonymous account of the same date which accompanies it in Thurloe's State

result was a complete and signal defeat of the Spaniards. Most of the English officers under Lockhart were killed or wounded.

Leyda, Spanish governor of Dunkirk, an old warrior, who but waited the close of the campaign to become a monk, made two desperate sallies; one during the battle of the Downs, the other after, in which he was mortally wounded; and at the end of two days Dunkirk capitulated. The French, having taken formal possession, immediately delivered the town and the keys to Lockhart and an English garrison. It is said by both French and English writers*, that Mazarin made an effort to evade this main condition of the alliance, and was terrified into compliance by Cromwell. But there is no direct proof; the silence of Lockhart negatively disproves the assertion, and it was most likely a mere presumption from his characteristic finesse and perfidy converted into fact.

Cromwell, upon learning that Louis was on the coast with Mazarin, sent his son-in-law, lord Fauconberg, on a splendid mission to compliment the king and his minister. The envoy of the protector was received with the utmost distinction by both. The king of France sent the duc de Crequi on a mission of compliment in return, whilst the minister sent his nephew Mancini, afterwards duke of Mazarin, with a private letter to the protector. Both returned after a few days, delighted, it would appear, with their reception. The details of formal ceremony and

Papers (vii. 155, 156.), and in a somewhat bombastic narrative by Morgan, the second in command of the English auxiliaries, published some years after. James II. mentions neither the relief of Turenne by the English, nor his peril—but he bears testimony to the admirable courage and firmness with which Lockhart's regiment charged the Spaniards uphill, and routed them. Lockhart alone appears to have received more than his due share of credit. He was disabled by an attack of the stone from leaving his carriage (see his letter *ut suprad.*), and the regiment was led by the lieut-colonels, of whom one was killed. (Life of James, i. 248.) James charges cowardice upon the Spaniards; but he was evidently prejudiced against that nation, and partial to the French. The French acknowledge the valour and service of the English republicans in the action; but the victory was ascribed, by the prince of Condé, to the superior dispositions of Turenne. It should be remembered, that of the allied army, about 26,000 strong, 6000 only were English.

* Voltaire, *Essai sur les Mœurs, &c.* Review of the Life of Cromwell, &c. Welwood's Mem.

diplomatic compliment on the occasion, may be omitted in an abstract pretending to be historic.*

The allied troops continued their career of victory. Dixmude, Ypres, Gravelines, Oudenarde, Menin, were soon taken. Mazarin, in a conference with Lockhart, proposed a new treaty, and the conquest of Ostend to be ceded like Dunkirk to the protector.† Whether Cromwell would have followed up his continental acquisitions in the Low Countries; or whether, according to Voltaire and other historians, he would have joined Spain against France, to check her aggrandisement and recover Calais; is a matter of pure speculation. He died before he could leave even the faintest gleam of his purposes. It remains only to glance at his domestic government, his last moments, and his death.

Cromwell, in the first session of the late parliament, had obtained votes of assessment and supply for three years in advance. He was therefore not wholly unprovided when he dissolved the parliament. The English auxiliaries were paid by France, and had double the pay of French soldiers. His domestic administration, and the charges of his court and family, were well ordered and economical. But still he was reduced to borrow of the corporation and individual capitalists of London, and was in want of means to meet the current charges, especially in Ireland.‡ Two courses were open to him—the tyrannic one of levying taxes by ordinance of government; the other, the assembling of a parliament. He chose the latter.§

Here again the future course of Cromwell's domestic, like that of his foreign policy, tempts speculation, without fixing opinion or satisfying the mind. It is obvious that he never ceased to think of building his government

* An extract from the Sloane MSS., cited by Godwin (iv. 549.), would make it appear that Cromwell took offence at the address of the French king's letter, "To his Most Serene Highness Oliver Lord Protector, &c." and not "To our Dear Brother Oliver;" that Louis, upon being referred to, asked Mazarin, "Shall I call such a fellow my brother?" that Mazarin replied, "Ay, or your father, to gain your ends;" and that a letter was accordingly written with the superscription in the fraternal style.

† Thurloe, State Papers, vii. 278, &c.

‡ Id. ibid. 71. 295.

§ Id. ibid. 84.

upon a civil, not a military basis ; in short, of governing by a parliament. The question upon his usurpation was, whether the protector should mould the parliament according to his ideas, or submit his authority to be limited and controlled by it. He found the one impracticable. Had he made up his mind to submit to the other ? He could have no hope of obtaining a new parliament more subservient than the last. It is probable, on the contrary, that he would have to encounter in it the capacity and republicanism of Bradshaw, Marten, and Vane, who were not in the last parliament. Domestic insurrection was subdued — foreign invasion impossible. He was in a commanding position for the exercise of the better principles of his earlier career, and the superior reason by which he never ceased to be guided. May it not, then, be hazarded as a purely speculative view, that Cromwell, had he lived to execute his purposes, would have bowed before the supremacy of parliament, the sovereignty of the nation, the principles of liberty and wisdom — abandoned his house of lords to the public scorn — and redeemed his usurpation by founding a free commonwealth, to be governed by an executive chief magistrate and the representatives of the people ? *

It was determined that a parliament should be assembled in September †, and a committee of nine persons was appointed to take preliminary measures.‡ Cromwell evidently sought to fix the succession in his family by hereditary descent. He would not otherwise have appointed the incompetent and neglected Richard in preference to his favourite and more capable second son Henry, to whom he trusted the important charge of the government of Ireland. Yet it appears that one of the measures to be proposed to the parliament on the sug-

* This purpose, according to Burnet, was to renew and accept the offer of the crown. But is it credible that, after shrinking from it with a subservient epurated parliament, he would attempt the same thing with a parliament freely chosen ? Little reliance can be placed on a writer whose judgment is only less questionable than his veracity.

† Thurloe, vii. 159, 176.

‡ The members were, Fiennes, Fleetwood, Pickering, Desborough, Whalley, Goffe, Jones, Cooper, and Thurloe.

gestion of this committee, was restricting the protector for the time being to the power of nominating his successor.* This, probably, was designed as a concession to the republicans. The office of chief magistrate would thus be essentially elective, and the election might ultimately pass to the parliament or the community.† It could no longer have been designed to flatter the hopes and the vanity of Lambert, who was discarded and forgotten.‡

Meanwhile the infirmities mentioned by Cromwell in his opening speech to the parliament, grew rapidly upon him. They are supposed to have been aggravated by the death of Warwick, his attached and long-tried friend, and still more by the sickness and death of his favourite daughter, lady Claypole. His active life, his anxieties, and his advanced age would sufficiently account for them. The hardships of the field, followed by the fatiguing restless tension of the faculties in daily and nightly labours of the cabinet, were sufficient to have unstrung the most elastic temperament, and shaken the strongest frame on the verge of threescore years. His mother's death in 1654—which is perfectly accounted for by the decay of nature in old age—is supposed to have been hastened by her constant fear of his being assassinated. Cromwell, who was deeply alive both to the sentiment of friendship and the domestic affections, lodged her in apartments at Whitehall upon his usurpation of the government. She continued to observe the modest style and simple habits of her former life, in her gorgeous residence; and upon hearing the report of fire-arms would exclaim, in agony of terror, “ My son is killed, my son is killed ! ” No man's life was ever

* Thurloe, vii. 269.

† The succession to the crown in England, between usurpation, parliamentary title, and the last will of the reigning prince, was irregular and anomalous. Elizabeth was solicited by parliament at several periods of her reign, and desired by her council on her death-bed, to name her successor; and James I., with all his pretensions to hereditary divine right, after he became king, thought the declaration of Elizabeth necessary to his title.

‡ According to Mrs. Hutchinson, he passed his time in embroidering flowers with his wife and her maids. This, however, is a tincture of the malice of the sex. He had the accomplishment of flower painting, which proves only his love of nature and taste for the arts.—See *Walpole's Anecdotes of Painting*, ii. 281.

more encompassed with danger. He lived and moved a constant mark for the hireling, the desperado, and the fanatic, to despatch him by secret practice or violent surprise. The famous pamphlet, styled "Killing no Murder*", printed in May the preceding year, is said to have made upon his mind a deep impression of gloom and fear. He is described as always carrying about with him pocket pistols and poniards, wearing a shirt of mail†, never sleeping two successive nights in the same chamber, never appearing abroad without a guard, never in his excursions returning by the same route, shutting himself up alone, and visited in his lone hours with mysterious agitation ; in short, haunted with fear and remorse. These accounts rest upon the very doubtful credit of royalists, and are probably exaggerations, if not inventions. The royalist historians and chroniclers of the time seem to have thought themselves warranted to introduce, by way of court moral, the poetical justice of fiction into the drama of real life. One fact only—that he went privately armed—appears certain, from the going off of a pocket pistol about his person when thrown from his carriage in Hyde Park.

To complete this moral lesson, lady Claypole is represented by the same writers, and others of the same stamp down to the present day, as reproaching her father with the shedding of blood ; and dying of a

* The authorship of this pamphlet remains between colonel Titus and colonel Sexby. The latter died in the Tower this year. Mr. Godwin ascribes it to him chiefly on his own avowal (Thurloe, vi. 560.) that he was the author. But his faculties, as well as his bodily health, were impaired at the time, otherwise his declaration would be conclusive.

† The story of the shirt of mail rests on the following questionable passage in a letter of secret information addressed by a spy to Thurloe. "He told me a story, which, if you were a fowler, might be of some use to you. We two discoursing concerning the murthering of his highnes, and I urging the difficulty of it, he told me, it was true, indeed, he wore a private coat, as he was informed by a presbyterian minister ; but they had a way to pierce it, which was this : To take some grains of pepper, (white the best) and steep them twenty-four hours in the strongest aqua vita, and then mix three or four graines with the powder, wherewith a pistoll is charged ; and that pistoll will carry levell twice as far as before ; and therefore by consequence pierce twice as deep. This minister preached before his highnes at Hampton-court ; and being invited to heare his highnes exercise, he asked the boy, that waited on him in his chamber for accommodation, what was the reason his highnes did sweat so much ? The boy answered, that he had a close-coat under his other cloths, which was the reason his highnes did sweat so muche." — Vol. i. 708.

broken heart, because he denied her prayer for mercy to doctor Hewit, and for the restoration of the rightful heir to the throne. It is likely that lady Claypole*, who was an amiable person, and lady Fauconberg, who is said to have been privately married according to the prescribed episcopal rite by doctor Hewit, solicited for that person's life; but it is most unlikely that she should die of grief for the execution of a person who conspired against the life of her father, and denounced him to the last moment as a traitor and murderer. Her supposed zeal for the restoration of Charles II., which would expose the lives of her father and all his adherents, to perfidy and vengeance, is no less incredible. There is even her own evidence of her impression of Hewit's plot. After rejoicing that it was detected, she says that its success would have "ruined her family and involved the nation in blood."† It is true, at the same time, that her death was caused or hastened by grief superadded to disease. Whilst afflicted with a cancer, she lost her son.‡ She died on the 6th of August at Hampton Court.

Cromwell, one of the kindest of sons, of husbands, and of fathers, neglected the public business and his own infirmities, to attend the bed-side of his favourite daughter.§ His health gave way completely on her death. He attended her remains from Hampton Court to Westminster Abbey, but returned soon from Whitehall to Hampton Court. The aggravation of his disease,—a complication, it would appear, of gout, fever, and ague,—induced the physicians to advise his return to London. His friends and family were deeply alarmed.|| The good faith and mysticism of his religion were never more apparent than in his last sickness. One day he believed himself dying, and desired that he should be prayed for. Next morning he received his

* See Ludlow, ii. 607.

† See her letter to lady Henry Cromwell, in Thurloe's State Papers, vii. 171.

‡ Letter of Fleetwood, id. ibid. 177.

§ Thurloe, vii. 294, &c.

|| Id. ibid. 355.

physician with a cheerful countenance ; took his wife by the hand ; and desired they would not look so sad : " I tell you," said he, " I shall not die this bout—I am sure of it.—Do not think me mad ; I speak the words of truth upon surer grounds than your Hippocrates or Galen—God himself has given this answer."* The same notion of a particular revelation to him is expressed by Fleetwood, and even by Thurloe, in their letters to Henry Cromwell. " His highness," says the former, " hath had very great discoveries of the Lord to him, in his sickness, and hath had some assurances of his being restored and made further serviceable in this work. This latter is secretly kept, and therefore I shall desire it may not go farther than your own breast. But I think there is that in this experience that may truly be worthy of your farther knowledge."† Thurloe writes, " That which is some ground of hope is that the Lord, *as on some former occasions*, hath given to himself a particular assurance that he shall yet live to serve him, and to carry on the work he hath put into his hands."‡ These passages throw a strong and remarkable light upon the character of Cromwell and the era in which he figured. It is obvious that Cromwell imagined himself the special depositary of divine revelation on more occasions than one, and that his having such communings was fully believed by two of the most eminent men of his country and age. The imaginations of his two chaplains who attended his

* Bates's Elenchus. The following are the words of Bates in the original Latin :—" Mane summo, cum unus e cæteris visitatum veniret, percontatur, quare vultus ei adeo tristis. Cumque responderet, ita opertere, si cui vitæ ac salutis ejus pondus incumberet ; vos (inquit) medici me creditis intermoriturum : dein cæteris amotis (uxorem manu complectens) ita hunc affatur, Tibi pronuncio, non esse mihi hoc morbo moriendum ; hujus enim certus sum. Et quia intentiori aspectantem oculo ad ista verba cerneret, Tu me (inquit) ne credas insanire ; verba veritatis eloquor, certioribus innexus quam vobis Galenus aut Hippocrates vester suppediat rationibus. Deus ipse hoc responsum precibus dedit non meis unius, verum et eorum quibus arctius cum illo commercium et major familiaritas. Pergit alacres, excussa penitus a vultu tristitia, meque instar servi tractate. Pollere vobis licet prudentia rerum ; plus tamen valet natura quam medici simul omnes ; Deus autem natum longiori superat intervallo."

† Thurloe, St. Pap. viii. 355.

‡ Id. ibid. 364. Fleetwood construed it into an indication of his return, upon his recovery, to republican sentiments and the abjuration of tyranny.

death seem to have been heated and high-wrought even beyond his own.*

He yet relapsed, and the symptoms were pronounced fatal. Upon the mention of his successor, he referred to a sealed paper lying on his cabinet table at Whitehall. It was not to be found. He then faintly named his eldest son Richard. The fact has been questioned, but apparently upon no other grounds than that of his state of mental and bodily weakness, amounting to incapacity. Of his intention there could be no doubt. His supposed question to Goodwin, when approaching his end, is well known—"Can a person once in a state of grace fall back into a state of reprobation?" The chaplain replied, "Certainly no."—"Then," rejoined Cromwell, "I am safe; for I know that I was in a state of grace once." The best authority for this dialogue is presbyterian†, and it bears a suspicious resemblance in spirit to the fabrications already referred to. It is inconsistent with the following prayer, cited on the authority of a witness who heard it uttered by Cromwell the night before his death ‡: "Lord, I am a poor foolish creature: this people would fain have me live; they think it will be best for them, and that it will redound much to thy glory. All the stir is about this. Others would fain have me die. Lord, pardon them, and pardon thy foolish people; forgive their sins, and do not forsake them; but love, and bless, and give them rest; and bring them to a consistency, and give me rest for Jesus Christ's sake, to whom, with thyself and the Holy Spirit, be all honour and glory."

Clarendon and Ludlow, alike adverse to Cromwell and to each other, declare that he died without any sign of remorse for his great crimes, consisting, according to the

* The two chaplains who attended him were Goodwin and Owen. Goodwin is said to have uttered the following prayer:—"Lord, we do not ask thee for his life; of that we are assured. Thou hast too many things for this great man to do, to remove him yet. But we pray for his speedy re-establishment and recovery."

† Life of Baxter.

‡ Neal, Hist. Pur. vol. ii. b. iii. Baxter's Life. On the authority of Major Butler, who was the protector's groom of the chamber, and in his room at the time.

former, in his having shed royal and royalist blood; according to the latter, in his sacrifice of the good cause to his ambition.* He expired at two in the afternoon of the 3d of September, the anniversary of the two most splendid of his military achievements—the victories of Dunbar and Worcester.

One consideration only is said to have disturbed Cromwell in his last moments,—the injustice with which men would judge his actions and his character. “He seemed,” says Ludlow, “above all concerned for the reproaches, he said, men would cast upon his name in trampling on his ashes when dead.”† It has been said, that he even had a presentiment of outrages to be offered to his remains,—a notion probably suggested by the above expressions of Ludlow written after the fact. The passions of all parties were enlisted against his memory. Royalists and presbyterians would revile him as a rebel and traitor; republicans, as a usurper and renegade. He was slandered in every trait of his character and every action of his life. But the supremacy of his talents has stood unquestioned and alone. He was acknowledged by all to have been a soldier of the first order, and the greatest genius of his time in the art of government.

His early irregularities, greatly exaggerated,—his melancholy imagination, and temperament in his youth; the former reformed, the latter strengthened and brightened by religious enthusiasm as well as by reason and by the principles of morality,—have been alluded to in every notice of his life. A cotemporary‡ has recorded with graphic force his first appearance, sitting in the house of commons: his slovenly dress—his awkward sword—his plain hat—his unpretending band, with the ominous red spot (imaginary or real)—his uncouth features—his harsh tones—the rude energy and contagious fervour of his elocution. The same writer, again as an eye-witness, has described him at a more advanced period of his life and fortunes, supporting the

* Mem. ii. 612.

† Mem. ii. 612.

‡ Sir P. Warwick.

character and wearing the robes of sovereignty with majesty and comeliness of deportment and countenance. It was the consequence and the proof of his having been but raised to his proper place among men — his natural station in the scale of human intelligence.* Another eye-witness has described his person and character with a friendly but not unfaithful hand ; his frame compact and vigorous — his stature five feet ten inches — “ his head so shaped that you might see in it a storehouse of a vast treasury of natural parts ” — his glance penetrating — his look, when he chose, engaging and mild, or commanding and stern — his temper fiery, but subdued by reason and discipline — his heart full of courage, but compassionate and tender as that of a woman — “ his soul so large as hath seldom dwelt in a house of clay.”† Of his magnanimity the evidence is most decisive. Constantly menaced with assassination by his enemies, and a murderous price set upon his life by Charles II. in a proclamation ‡, he yet disdained to avenge himself upon the forfeit lives of assassins within his power. The sentiment of vengeance seems to have vanished in the fearless and superior grandeur of his views. How great his force and generosity of soul, who in the course of a life of constant peril from the brave in the field, and the secret and greater danger from hating and hireling private murderers, never lost his resolution or his humanity ! §

* Milton, addressing himself to Cromwell (*Defensio Secunda*), says, “ Nihil est in societate hominum magis vel Deo gratum vel rationi consentaneum quam rerum potiri dignissimum.

† Letter of Maidstone, in Thurloe’s State Papers, Appendix, vol. i.

‡ Thurloe, St. Pap. i. 248. James duke of York, writing to his brother Charles (*Ibid.* 666.), after mentioning an offer to assassinate Cromwell, with the utmost complacency adds, “ I send you the last new songs and the Gazette burlesque.” Clarendon again, “ the virtuous Clarendon,” says, in reference to the assassination of Ascham and Dorislaus — (a servant of his was one of the assassins of the latter) — “ It is a worse and baser thing that any man should appear in any part beyond the sea, under the character of an agent from the rebels, and not have his throat cut.” (St. Pap. iii. 144.)

§ Among the objects of Cromwell’s merciful and generous forbearance was David Jenkins, a Welch judge, who never ceased to denounce both the parliament and the protector as rebels and traitors, and was famous in his day for his zeal and intrepidity as a royalist. The following account of his conduct, when questioned by the parliament for the offence, among others, of condemning to death persons charged with being in arms against

Hypocrisy is regarded as the great and distinctive feature of the moral character of Cromwell. There can be no doubt that his wonderful penetration in judging

the king in 1642, is given in Lord Somers's Tracts (vi. 128, 129.) :—" And when the speaker's speech was ended, judge Jenkins ask'd, whether they wou'd now give him liberty to speak? Yes, answer'd Lenthal, so you be not very long. No, said the judge, I will not trouble either myself or you with many words. In your speech, Mr. Speaker, you said the house was offended at my behaviour, in not making any obeysance to you at my coming here, and this was the more wonder'd at, because I pretended to be knowing in the laws of the land. In answer to which, Mr. Speaker, I say, that, I thank God, I not only pretend to be, but am knowing in the laws of the land, (having made it my study for these five and forty years,) and because I am so, that was the reason of such my behaviour; for as long as you had the king's arms engraven on your mace, and acted under his authority, had I come here I wou'd have bowed my body in obedience to his writ and authority, by which you were first called; but, Mr. Speaker, since you and this house have renoun'd all your duty and allegiance to your sovereign and natural liege lord the king, and are become a den of thieves, shou'd I bow myself in this house of Rimmon, the Lord wou'd not pardon me in this thing. Upon which the whole house fell into such an uproar and confusion, that for half an hour they could not be reduc'd into any order, for sometimes ten, sometimes twenty, wou'd be speaking together; but at length the fury abated, and the house voted, they were both guilty of high treason, (without any trial at all) and shou'd suffer as in cases condemn'd for treason. So they call'd for the keeper of Newgate, to know the usual days for execution in such cases. He told them it was usually on Wednesdays or Fridays: and then was debated whether it should be done on next Wednesday or Friday. Then stood up Harry Martin, (the droll of that house,) who had not spoken before. He said he would not go about to meddle in their vote, but as to the time of execution he had something to say, especially as to Judge Jenkins. Mr. Speaker, says he, every one must believe that this old gentleman here is fully possess'd in his head: that he is *pro aris et focis mori*: that he shall die a martyr for this cause: for otherwise he never wou'd have provok'd the house by such biting expressions; whereby it is apparent that if you execute him, you do what he hopes for, and desires, and whose execution might have a great influence upon the people, since not condemn'd by a jury: wherefore my motion is, that this house wou'd suspend the day of execution, and in the mean time force him to live in spight of his teeth. Which motion of his put the house into a fit of good humour, and they cry'd, Suspend the day of execution. So they were return'd back to Newgate: and being there, sir Francis ask'd the judge whether he had not been too hardy in his expressions to the house. Not at all, said he; for things of a rebellious nature have been so successful in this kingdom, and have gotten such a head, that they will almost allure the weak loyal man to comply therewith, if some vigorous and brave resistance is not made against them, and to their very faces; and this was the cause why I said such home things to them yesterday. And altho' I have opposed rebels and traitors all my life hitherto, yet I persuade my self, that at the time of my execution, on the day of my death, I shall be like to Sampson, and destroy more Philistines than I ever did in all my life; that is confound their rebellious assertions. And in this thought of mine I am so wrapp'd up, that I hope they won't totally suspend my execution. I will now, said the judge; tell you all that I intend to do and say at that time: First, I will eat much liquorish and gingerbread, thereby to strengthen my lungs, that I may extend my voice far and near; for no doubt there will be great multitudes at the place; and then I will come with Bracton's book hung upon my left shoulder, with the statutes at large hung on my right shoulder, and the Bible with a ribband put round my neck, and hanging on my breast. Then I will tell the people that I was brought there to die for being a traitor."

the characters, and no less wonderful power in obtaining an ascendant over the minds of men, was allied with profound and consummate dissimulation. When he wished to escape or change the current of an embarrassing or importunate discussion, he would challenge Whitelock to make verses whilst sitting in council *, or throw a cushion at Ludlow at the close of a deliberation on the settlement of the commonwealth.† But his politic dissimulation should be distinguished from religious hypocrisy. It is difficult, or rather impossible, to penetrate the recesses of the soul — above all, that most secret of its recesses called conscience. But how much more powerful than reason are peculiar temperaments, the natural or induced condition of the nerves, susceptible imagination, a particular train of thought too exclusively meditated ! Pascal put forth, in undoubting and undoubted good faith, theological propositions the most vague and incomprehensible ; he believed and attested a miracle at Port Royal ; he yet was the most accomplished dialectician of his own or of any age ; and he had an inventive scientific genius worthy to be named with Archimedes and Newton. Why may not genius, reason, good sense, profound artifice, have been blended with the fervour and delusions of fanaticism in the pursuit of great ends by such men as Mahomet, Aurengzebe, and Cromwell ? There is one proof of the religious sincerity of Cromwell, which has been turned against him — his religious toleration.‡ Minds profoundly impressed with

* Whitelock, Mem.

† Ludlow, Mem.

‡ He entertained the design, perhaps hopeless in that age, of establishing religious peace among different sects. "I am," writes the Dutch ambassador to the states-general in 1653, "informed by a very good hand, that the lord Protector doth take a great deal of pains, and hath already spent much time about the affairs of the churches of England, to bring the same, by some toleration and connivance, into a considerable and peaceable condition, to the content of all differing parties : and that the business is already so far advanced, that a meeting is, upon certain conditions, agreed on, not under the name of a synod, but of a loving and Christian-like reception, where every one may propound for a mutual toleration. It is also firmly agreed, that to that end the bishops and the anabaptists shall be admitted into it, as well as the independents and presbyterians ; but yet with this proviso, that they shall not dispute one another's principles, but labour to agree in union ; and it is believed that the effects thereof will be seen in a short time." — *Mem. of Crom.* ii. 478.

the sentiment of religion are disposed to be tolerant. If the conscience of the intolerant bigot were laid open, it would be found that imperfect conviction as well as malignant temper and base fear, lurked within.

He is charged with hypocrisy, from his frequent use of what are now termed canting phrases. But they were the phrases of his day. "Seeking the Lord," was used as synonymous with prayer, by Whitelock, Ireton, Thurloe, and other men wholly free from real or pretended mysticism,—if indeed they could have been wholly free from the speculative and mystical enthusiasm of the age.*

But it is as a master of the art of government, that the reputation of Cromwell appears in its full glory. The proudest courts and the proudest nations bowed before the supremacy of his genius and power. It has been remarked by English writers, that his reputation

* The philosophic Middleton, in one of his essays, makes the following observations on the age of Cromwell, and its influence on his character :—

"Not only the times in which Oliver lived, but the characters he bore, and the great and surprising actions he performed, will lead us very naturally to suppose that he might really think himself under the divine guidance. The age of Cromwell was an age of wonders. The king and his nobles were brought low ; the poor and the mean were exalted, the foolish things of the world confounded the wise, and the weak things of the world confounded the things which were mighty ; and base things of the world, and things which were despised, yea, things that were not, comparatively, brought to nought things that were. No wonder things so marvellous were deemed by him and others to be the Lord's doings in a peculiar manner, since they were so much out of the usual course. And as to himself, in particular, from small beginnings he had rose to such heights of power and reputation, and done such very extraordinary things, that it must have been very difficult for a man of his constitution to have forbore thinking that he was personally favoured by Heaven in his undertakings."

"A magistrate convinc'd of the being of a God and a Providence, and conscious that every purpose of his heart intends the honour of that God and the good of the people he governs, cannot help believing himself under the special care of the Deity. This flows from the very reason and nature of things, and can never be otherwise : God, as surely as he exists, must necessarily favour such a man, and every such man must as necessarily be convinced that God does so favour him. And such a persuasion will always have more or less influence on the mind, as it falls in with a constitution more or less inclined to superstition or enthusiasm, which is apt to impute every laudable thought, and every successful action to the special suggestion and assistance of Heaven."

Sir Henry Ellis has published some letters of Cromwell, Bradshaw, and Harrison with such titles as "A Letter of Cant," "Another Letter of Cant," &c. prefixed. Had he taken the trouble to acquaint himself with the characters of the persons and the spirit of the age, he would probably have spared his informed readers this silly and offensive phrase ; and had he taken the trouble to look into Harris's Life of Cromwell, he would not have given among his "original letters" what was already, and more than fifty years, in print.

was exaggerated abroad* because foreigners were not acquainted with the defects of his domestic government. They naturally judged him by his foreign policy; and that policy which overcame every prejudice against a regicide and a usurper,—which raised the nation by a rapid movement from the lowest debasement to the highest rank,—must have been pre-eminent in wisdom and force.

The domestic government of Cromwell has been censured with some reason. There is a want of that creative power, that legislative genius, which calls into existence a political system capable of surviving its author. He has been described as essentially a man of immediate action rather than of grand prospective conceptions or comprehensive views.† It is certain that in governing

* The following sketch of him is given by Bossuet: “ Un homme s'est rencontré d'une profondeur et esprit incroyable, hypocrite raffiné autant qu'habile politique, capable de tout entreprendre et de tout cacher, également actif et infatigable et dans la paix et dans la guerre; que ne laissait rien à la fortune de ce qu'il pouvait lui ôter par conseil ou par prévoyance; d'ailleurs si vigilant et si prêt à tout, qu'il n'a jamais manqué aucune des occasions qu'elle lui a présentées.”

† The elaborate parallel between Cromwell and Bonaparte by Mr. Hallam bears upon this point:—

“ The most superficial observers cannot have overlooked the general resemblances in the fortunes and character of Cromwell, and of him who, more recently, and upon an ampler theatre, has struck nations with wonder and awe. But the parallel may be traced more closely than perhaps has hitherto been remarked. Both raised to power by the only merit which a revolution leaves uncontested and untarnished,—that of military achievements,—in that reflux of public sentiment when the fervid enthusiasm of democracy gives place to disgust at its excesses and a desire of firm government. The means of greatness the same to both,—the extinction of a representative assembly, once national, but already mutilated by violence, and sunk by its submission to that illegal force into general contempt. In military science, or the renown of their exploits, we cannot certainly rank Cromwell by the side of him, for whose genius and ambition all Europe seemed the appointed quarry; but it may be said that the former's exploits were as much above the level of his contemporaries, and more the fruits of an original uneducated capacity. In civil government there can be no adequate parallel between one who had sucked only the dregs of a besotted fanaticism, and one to whom the stores of reason and philosophy were open. But it must here be added that Cromwell, far unlike his antitype, never showed any signs of a legislative mind, or any desire to fix his renown on that noblest basis, the amelioration of social institutions. Both were eminent masters of human nature, and played with inferior capacities in all the security of powerful minds. Though both, coming at the conclusion of a struggle for liberty, trampled upon her claims, and sometimes spoke disdainfully of her name, each knew how to associate the interests of those who had contended for her with his own ascendancy, and made himself the representative of a victorious revolution. Those who had too much philosophy or zeal for freedom to give way to popular admiration for these illustrious usurpers,

three nations he seemed to rely wholly or too much upon his own personal direction and control. Every impulse, movement, and restraint proceeded from his hand. His government wanted systematic order, and the consequent inherent force. But had Cromwell time, with his most intractable materials, to construct a great system of political government, which could be brought to act in his life-time, and survive him for the benefit of mankind? To answer this question in the negative it is only necessary to recall to mind the state of parties, royalist, presbyterian, and republican,—the temper of his very army, upon which he must have mainly depended,—and the short and troubled period of only five years from his usurpation to his death.

Even from expressions which fell from him, and which have been before alluded to, it may be inferred that he entertained great designs, which should redeem his usurpation and reconcile him to his country. There are strong glimpses of them visible in his administration. It is obvious, even in his violences to parliaments, and his nomination of that called Barebones', that it was his purpose to arrive gradually at a system of government by free parliaments regenerated. There are in his various institutes of government many just and profound views of civil and parliamentary liberty,— and the sacred prin-

were yet amused with the adulation that lawful princes showered on them, more gratuitously in one instance, with servile terror in the other. Both too repaid in some measure this homage of the pretended great by turning their ambition towards those honours and titles which they knew to be so little connected with high desert. A fallen race of monarchs, which had made way for the greatness of each, cherished hopes of restoration by their power till each, by an inexpiable act of blood, manifested his determination to make no compromise with that line. Both possessed a certain coarse good-nature and affability that covered the name of conscience, honour, and humanity; quick in passion, but not vindictive, and averse to unnecessary crimes. Their fortunes in the conclusion of life were indeed very different; one forfeited the affections of his people, which the other, in the character at least of their master, had never possessed; one furnished a moral to Europe by the continuance of his success, the other by the prodigiousness of his fall. A fresh resemblance arose afterwards, when the restoration of those royal families, whom their ascendant had kept under, revived ancient animosities, and excited new ones; those who from love of democratical liberty had borne the most deadly hatred to the apostates who had betrayed it, recovering some affection to their memory out of aversion to a common enemy."—*Const. Hist. of England*, ii. 357—359.

ciple of religious liberty was carried by him as far as it could have been carried in his age.

It is true that prelacy and popery were excluded from the pale of legal toleration. But Whitelock, Baxter, and Bates have borne indisputable testimony to Cromwell's reluctance in complying with the ordinances of parliament against the observance of religious festivals and the reading of the book of Common Prayer — and to the indulgence with which he more than connived at other proscribed forms and observances. To catholics, who were more obnoxious and feeble, and therefore more open to be oppressed, he was singularly tolerant. He received sir Kenelm Digby, a catholic, with distinction at Whitehall ; he rescued many catholics from imprisonment and confiscations ; he gave protections under his hand and seal to Romish priests,—an unchristian scandal, according to the presbyterian Prynne ; — and he contemplated an arrangement with the pope for the residence of a bishop of the church of Rome in England to preside over the religious communion of the catholics.* His principles of toleration were so far in advance of his age as to embrace the Jews. Menasseh Ben Israel, a trading Jew of Amsterdam, came over to solicit from Cromwell freedom both of religion and trade, and was received with the utmost liberality. The protector summoned an assembly of divines, lawyers, and merchants, to consider how the religion, laws, and commerce of England would be affected by giving Jews a legal toleration. The assembly could not come to an agreement, the business was abandoned†, and the rabbi deputy was dismissed by Cromwell with a present of 200*l.*‡

To make the lawyers subservient to his ambition through their grovelling interests he sacrificed his designs of law reform, but would doubtless have resumed them had he lived. A mind so vigorous as his, untrammelled by authority or prescription, would have conferred bene-

* Thurloe, i. 741. App.

† Neal, Hist. of the Pur. ii. 473, 474.

‡ Whitelock, 673. Cromwell gave the Jews liberty to settle in London by individual dispensation, and they soon became a numerous and respectable community.—(See Godwin, iv. 250, and note, ibid.)

fits beyond calculation, by the fearlessness with which he would have touched abuses and obliquities in that branch of social economy, into which so many interests and passions conspire to introduce obliquity and abuse, and upon which, notwithstanding, social virtue and civilisation are most dependent.*

Cromwell is said to have wanted not only eloquence, but common facility and propriety of expression. His speeches and letters are, it is true, mystical, obscure, and involved, but only in situations where he used words for the concealment, not for the communication, of his thoughts. He who was able by his conversation to mould to his purposes such men as Broghill, Ludlow, and Lambert, must have possessed the art of persuasion in the highest degree; and his letters to the governor of the castle of Edinburgh prove, that when he would express

* Some idea of his views of law reform may be gathered from his conversation on the subject with Ludlow. "He declared," says Ludlow, "that it was his intention to contribute the utmost of his endeavours to make a thorow reformation of the clergy and law: but, said he, the sons of Zerviah are yet too strong for us; and we cannot mention the reformation of the law, but they presently cry out, we design to destroy propriety [property]: whereas the law, as it is now constituted, serves only to maintain the lawyers, and to encourage the rich to oppress the poor; affirming that Mr. Coke, then justice in Ireland, by proceeding in a summary and expeditious way, determined more causes in a week, than Westminster-hall in a year; saying farther, that Ireland was as a clean paper in that particular, and capable of being governed by such laws as should be found most agreeable to justice; which may be so impartially administred as to be a good president even to England itself; where when they once perceive propriety preserved at an easy and cheap rate in Ireland, they will never permit themselves to be so cheated and abused as now they are."—*Ludlow*, i. 319.

The following passage, cited by Harris (*Life of Cromwell*), and written so early as 1647, expresses the prevalent opinion of the republicans as to reforms which were most called for:—

"That the huge volumes of statute laws and ordinances, with the penalties therein imposed, as well corporal as pecuniary, be well revised; and such only left in force as shall be found fit for the commonwealth; especially that men's lives be more precious than formerly, and that lesser punishments than death and more useful to the public be found out for smaller offences. That all laws, writs, commissions, pleadings, and records be in the English tongue; and that proceedings be reduced to a more certain charge and a more expeditious way than formerly: that no fees at all be exacted of the people in courts of justice, but that the publick ministers of state be wholly maintained out of the public treasury."

Cromwell, in his reply to the "Petition and Advice," says, "If any man should ask me how this is to be done, I confess I am not fully prepared to enter into particulars. But I think at least the delays of suits, the costliness of suits, the excessiveness of fees, and those things they call demurrers, loudly demand the interference of the legislature."

frankly what he really felt, his style was not deficient in vigour or perspicuity.

But, supposing him to have neglected personally the accomplishments and graces of cultivation, he yet appreciated and encouraged genius and merit in literature, philosophy, and the fine arts. He rescued the two universities and the general course of the education of youth from being over-run by the fanaticism and judaism of those who looked upon the Mosaic law as the only requisite rule of conduct, and the Bible as the only book which should be saved from the flames.* He founded a college at Durham for the more convenient education of the northern English youth. The library of archbishop Usher was purchased and presented by him to the university of Dublin, and he presented valuable manuscripts to the university of Oxford, of which he was chancellor. The learned Usher was pensioned and honoured by him. Milton was the corresponding foreign secretary to his council. Hartlib, now remembered only as the friend of Milton, a native of Poland, whose life was devoted to one of the greatest interests of mankind, education, Andrew Marvell, Cudworth Pell, were pensioned, employed, or patronised by him. A secretaryship is said to have been offered by him to the famous sophist of Malmesbury. Waller was his kinsman and friend, and his praise lives in the verses of Milton, Waller, and Dryden.

The drama, the most popular and enchanting of the fine arts, was condemned not so much by the protector as by the spirit of the age. He is described by two royalist chroniclers of the time† as a great lover of music, and liberal to all who cultivated that and any other art. It is apparent from a conversation with him recorded by Whitelock that he was no enemy to the accomplishments and recreations of social intercourse.‡

* See Godwin, vol. iv. chap. 8. *passim*.

† Heath and Noble.

‡ In an interview with Cromwell upon the subject and proceedings of his embassy, Cromwell asks him many pertinent questions; as, how he and his company passed over their very long wintry nights: Whitelock

The arts cling with a parasite adhesion to the luxuries of a court, and upon the ruin of Charles I. they, for the most part, expired or fled. There are therefore but few painters, and no sculptors or architects. Robert Walker, a contemporary of Vandycck, was Cromwell's chief painter, and made several portraits of him, some few of which escaped the poor vengeance of the Restoration upon his image and his remains.* The engravers Blondeau, Violet, and especially Simon, were employed and distinguished. The achievements of the protector and the commonwealth, which it was the custom to commemorate by medals, gave opportunity and occupation to the graver.

Cromwell had the virtues and affections of private and domestic life. As a son, husband, father, friend, his heart was full of tenderness, generosity, and faith.

The interment of the protector was so mysterious as to give rise to various and strange versions. His body, according to one account, was buried in the deepest part of the Thames,—according to others in Naseby field, that great scene of his glory,—as a precaution against the desecration of his remains by the royalists. A third story is, that the body of Charles I. was substituted in Westminster Abbey for that of Cromwell, and that the mean vengeance of Charles II. was thus unconsciously exercised upon the bones of his father. These various rumours are alike unproved and improbable.† The real and simple fact appears to have been that the corpse of Cromwell was privately interred, while his effigy, after lying some weeks in state at Somerset

says in answer, “‘ I kept my people together, and in action and recreation, by having music in my house, and encouraging that and the exercise of dancing, which held them by the ears and eyes, and gave them diversion without any offence; and I caused the gentlemen to have disputations in Latin, and declamations upon words which I gave them.’ Protector: ‘ These were very good diversions, and made your home a little academy.’ Whitelock: ‘ I thought these recreations better than gaming for money, or going forth to places of debauchery.’ Protector: ‘ It was much better, and I am glad you had so good an issue of your treaty.’”

* Some of these are mentioned by Horace Walpole, in his *Anecdotes of Painting*.

† See Somers' *Tracts*, vi. 413, 414.

House, was conveyed with regal pomp to Henry the Seventh's chapel, where his body had been previously deposited among the mouldering remains of English monarchs and heroes.*

* Ludlow gives (Mem. ii. 614, 615.) a curious account of the splendour and incongruity of the ceremonial : — “ One of the first acts of the new government was, to order the funeral of the late usurper ; and the council having resolved that it should be very magnificent, the care of it was referred to a committee of them, who, sending for Mr. Kinnersly, master of the wardrobe, desired him to find out some precedent by which they might govern themselves in this important affair. After examination of his books and papers, Mr. Kinnersly, who was suspected to be inclined to popery, recommended to them the solemnities used upon the like occasion for Philip II. king of Spain, who had been represented to be in purgatory for about two months. In the like manner was the body of this great reformer laid in Somerset-house. The apartment was hung with black, the daylight was excluded, and no other but that of wax tapers to be seen. This scene of purgatory continued till the 1st of November, which being the day preceding that commonly called All Souls, he was removed into the great hall of the said house, and represented in effigie, standing on a bed of crimson velvet covered with a gown of the like coloured velvet, a scepter in his hand, and a crown on his head. That part of the hall wherein the bed stood was railed in, and the rails and ground within them covered with crimson velvet. Four or five hundred candles set in flat shining candlesticks were so placed round near the roof of the hall, that the light they gave seemed like the rays of the sun : by all which he was represented to be now in a state of glory. This folly and profusion so far provoked the people, that they threw dirt in the night on his escutcheon that was placed over the great gate of Somerset-house.” — *Ludlow*, ii. 614, 615.

CHAP. VII.

1658—1660.

RICHARD SUCCEEDS TO THE PROTECTORATE. — A PARLIAMENT CALLED. — PARTY CABALS. — DISSOLUTION. — FALL OF RICHARD. — THE COUNCIL OF OFFICERS RECALLS THE LONG PARLIAMENT. — ITS MEASURES AND CHARACTER. — ROYALIST CONSPIRACY AND INSURRECTION. — DEFEATED. — BREACH OF THE PARLIAMENT WITH THE OFFICERS. — EXPULSION OF THE PARLIAMENT. — CONDUCT AND CHARACTER OF THE COUNCIL OF OFFICERS. — PROCEEDINGS OF GENERAL MONK. — THE PARLIAMENT RESUMES ITS SITTING. — MONK'S DISSIMULATION. — HE ENTERS THE CAPITAL. — HIS PROTESTATIONS OF ZEAL FOR A COMMONWEALTH — FINAL DISSOLUTION OF THE LONG PARLIAMENT. — THE CONVENTION PARLIAMENT. — PERFIDY OF MONK. — FALL OF THE COMMONWEALTH.

THE strong grasp of Cromwell's government and genius upon parties, the army, and the people, continued to be felt after his death for a moment—as a sensation survives its exciting cause. Richard, his eldest son, designated by him faintly in his last hour, succeeded to his usurped sovereignty with the facility of settled and lineal dominion. The new protector having been formally proclaimed by the council, took the oath provided by the last institute of government, renewed the commissions of his father, and received the congratulations of the foreign ambassadors. The French ambassador was the most forward, and the French court went into mourning.* France was still governed by Mazarin. Addresses expressive of fidelity the most devoted were presented to Richard from the city of London, from the several armies of England, Scotland, and Ireland respectively, through Desborough, Monk, and Henry Cromwell; and from the officers of the navy.

* "Mademoiselle (d'Orléans)" says Voltaire, "fut la seule qui ne rendit pas cet hommage à la mémoire du meurtrier d'un roi son parent."—*Siecle de Louis XIV.*

Oliver was pledged and preparing to summon a parliament when he was seized with his last sickness. It is most unreasonable to censure Richard for a measure which his father judged indispensable. The low state of the magazines and the treasury, the arrears due to the army and navy, the danger of continuing imposts by ordinance of council, the necessity of providing for the public service, the obligation contracted by the late protector to assist Sweden against Denmark with a maritime force,—all conspired to render large supplies, and consequently the meeting of parliament, of absolute necessity.

Richard was a person of weak character, blameless life, and mild disposition. His weakness no less than his virtue obtained him friends. Moderate and right-minded as well as aspiring men saw in him one whom they could mould according to their views. His confidential advisers were Thurloe, Whitelock, Fiennes, Lisle, St. John, Broghill, and Pierrepont. Acting on their advice, he issued writs for the meeting of parliament on the 27th of January. Recourse was had to the ancient system of election, as more easily manageable by corrupt influence and court power.* Cromwell's institutes of government should have been doubly inviolable to his son; first, as they constituted the title of the protector, next, as they really provided an excellent outline of parliamentary election.

1659. Parliament, consisting of two houses, met on the 27th with the usual forms. The commons, having elected Chaloner Chute their speaker, were summoned to attend the lord protector in the house of peers. It is recorded that about twelve or fifteen members only obeyed the summons of the usher of the black rod†,—a mark, doubtless, not of disrespect to the protector, but of con-

* Mr. Hallam suggests (*Constitutional History*, ii. 365.) that "it may be ascribed still more to a desire of returning by little and little to the ancient constitution, by eradicating the revolutionary innovations." It seems strange that so eminent a whig authority should grace the rotten boroughs as the ancient constitution, and stigmatise as revolutionary innovation the admirable scheme of election provided by Cromwell's institutes of government and adopted substantially in the Reform Bill after the lapse of nearly two centuries.

† *Parl. Hist.* iii. 1538.

tempt for “the other house.” The court, so called, named the Scotch and Irish representatives, and commanded the votes of actual and expectant placemen, for the most part lawyers, to the amount of 170.* There were about a hundred moderates, waiters upon providence†, and masked royalists. The republicans were only forty, but among these were Scott, Bradshaw, Haslerig, Vane, Okey, Ludlow, Weaver, Walcot.‡ An assembly so constituted might have been conducted by the vigour, wisdom, and moral descendant of the late protector. Its proceedings soon proved the imbecility and insecurity of his son.

The oath of fidelity to the protector and the commonwealth appears to have been taken without objection§, and the protector addressed the two houses in what is described as a handsome speech||, of which however the merit is chiefly negative. It is prudently reserved in its tone and topics, and wholly free from either cant or mysticism.¶ On the 1st of February, a bill for recognising “the undoubted right” of Richard was proposed by Thurloe, who continued in his place of secretary of state, and shared the confidence of the son no less than of the father. This bill might be deemed a matter of course after the oath of fidelity; it yet produced an ominous discussion. It was proposed to substitute “agnize” for “recognize,” and to omit the word “undoubted.”** The substitution was rejected on a division of 191 to 168, and the omission was agreed to. The term “agnize” would derive the right of Richard from the will of parliament there expressed, not from the “petition and advice” and the nomination of the late protector; and the express omission of the word “undoubted” tended to impair his title. The republicans and royalists, however opposite their views, combined against a third party, which is not a rare

* Clarendon, State Papers, iii. 443.

† A phrase of Cromwell’s.

‡ Parl. Hist. iii. 1330, &c.

§ Ludlow states (ii. 619.) that it was evaded by himself and other members sharing his principles. The royalists took it without the least seeming scruple.

|| See Parl. Hist. iii. 1538.

** Ludlow, ii. 624.

¶ Ibid.

phenomenon in the history of parties. Reflecting men already anticipated the issue.*

The new house of peers was abhorred or despised alike by the royalists and republicans, and yet the question whether the commons should “transact with the persons sitting in the other house as a house of parliament,” was carried in the affirmative by 177 to 113, whilst the heterogeneous proposition of the court, that such ancient peers as had been faithful to the parliament might sit in that house, was carried by a much smaller majority.

Meanwhile there were party movements without the walls of parliament, which soon threw aside both the parliament and the protector. The army is described by Ludlow as severed into three factions: one purely republican, at the head of which were Ashfield, Mason, Lilburne (Robert), Moss, Creed; another wholly at the disposal of the court, including Ingoldsby, Whalley, Goffe, and Howard; the third, led by Desborough, Fleetwood, Sydenham, Clark, Berry, Kelsey, Haines, Blackwell; called, from its place of meeting at the residence of Fleetwood, the Wallingford-house party.

Cromwell was unrivalled for the sagacity and adroitness with which he penetrated human motives, and seized the spirit of the age. In these qualities there are glaring proofs of the deficiency of his son. He broke with the Wallingford-house party, which had the chief share in raising him to the protectorate†; he attached himself to a party of which some were already leagued with the Stuarts‡, and he shocked the religious enthusiasts by expressions rather of foolish levity than frankness and good faith. An officer remonstrated with him for promoting malignants: “Would you,” said he, “have me prefer none but those that are godly?—Here is Dick Ingoldsby, who can neither pray nor preach, and yet I will trust him before ye all.”—“These

* “Some,” says Whitelock, “were very cross in the business, which caused doubts of the good issue of the parliament.”

† Ludlow, ii. 631.

‡ Ibid. 633.

imprudent as well as irreligious words," continues Ludlow*, "were soon published in the army and the city of London, to his great prejudice." Ingoldsby of all men was the least deserving of his confidence ; he was already gained over by the royalists.†

The Wallingford-house party came to an understanding with the republican section of the house of commons, and the basis of their agreement was a dissolution of parliament. Richard, in his fear of being deposed by the parliament, sanctioned the formation of a council of officers. That great agent in the general mutations of the commonwealth soon exercised its accustomed and dominant force. The pay of the army was in arrear, and the discontent of the soldiers was hence the more easily inflamed by the officers. The first measure was "a petition and representation, addressed to the lord protector, by the general council of officers of the armies of England, Scotland, and Ireland." Richard communicated this petition, through the speaker, to the house of commons. It set forth the want of pay and subsistence, the insolence, power, and designs of the malignants, and the destruction which threatened the army and the good old cause.‡

The truth of these assertions has been denied, and the phrase of the "good old cause" sneered at by an eminent living writer. Royalist or Tory writers might sneer with consistency ; but whoever admits that the various struggles and phases of the commonwealth involved the antagonist principles of slavery and freedom ; whoever admits the restoration of Charles II., and the greater portion of his reign, to be an epoch of national degradation of character, cannot question the assertions or sneer at the language of this petition, without suffering the articles of faith of a party and its aristocratic patronage, rather than frank espousal of the principles of liberty, to interfere with his contemplation of both

* Life of James II., from his MSS. Memoirs, I. 369.

† Ibid.

‡ Whitelock, Mem. April, 1659. The petition is not entered on the Journals.

the facts and the philosophy of the history of the time. Were this parliament allowed to go on, it would assuredly have anticipated Monk. The direct tendency and operation of its proceedings was to advance the interests and hasten the recall of the Stuarts.

A resolution of the house of commons, indicating more of violence than vigour, soon brought its existence to a crisis. The majority of courtiers, royalists, and waiters upon providence, alarmed at the proceedings of the Wallingford-house and republican parties, prohibited the meeting of any military council without leave of both houses, and a deputation of officers, headed by Desborough and Fleetwood, waited upon the protector to advise, or rather to insist, upon his dissolving the parliament. Richard referred the matter to his council, which contained, according to Whitelock*, "many enemies to him and his government," and after consulting in secret, was in favour of a dissolution. The young protector is said to have complied reluctantly, after a long and obstinate resistance, in which he was supported only by Thurloe.† If he made this opposition, it could only have been from his reliance upon the secretary, and that person is not free from the suspicion of being at the time in secret treaty with the royalists.

The dissolution is said to have caused the ruin of Richard.‡ But he seems to have been placed in alternatives of dire necessity. The parliament, if it continued, would have surrendered him to the mercies of the restoration; the dissolution placed him in the hands of the army and the republicans.

A rumour of the intended dissolution soon reached and agitated the commons. Several members abruptly left the house. It was voted that that the fugitives should be called back, and that no member should henceforth quit his place without leave. The protector's summons to attend him in the house of lords was not obeyed;

* Mem. *ibid.*

† Calamy's *Life of Howe*, cited by Harris, *Life of Charles II.*, i. 20.

‡ MS. Journal of Admiral Montague, cited by Harris, *Life of Charles II.* i. 194.

the house, however, adjourned ; parliament was dissolved by proclamation ; a guard was placed in the immediate vicinity of St. Stephen's chapel ; and the door was locked.*

Richard was now virtually, though not formally deposed. The government continued to be administered in his name, whilst he lived at Hampton Court in retirement and absolute nullity.

It is doubtful whether even the father, with all his resources of capacity and moral ascendant, could have maintained himself in the position assumed by his incapable son. Richard committed the fatal error of abandoning and offending the republican and Wallingford-house parties, to which he should have clung as his sheet anchor. The first object of a politician should be to discover in what quarter his strength lies, and identify himself with it implicitly. Oliver himself had committed the same error, but to a much less extent. Both the father and son were governed by the same motive—the strange delusion, of which history affords so many examples, under which usurpers, once firmly seated, discard the parties and principles by which they have risen, for the vain fashions or frail safeguards of what is called legitimate sovereignty. Oliver appeared sensible of his error when it was too late to repair it. There are, it has been observed, strong indications that had he survived his last illness, he would have begun a new career, and perpetuated the commonwealth, by giving to it the frame and fabric of republican freedom.

The supreme power was now vested, not so much by usurpation, as by one of those mutations which are natural to the career of political revolution, in the republican minority of parliament and the military officers. It is charged upon the latter, but without proof, that they proposed to levy money by their own authority † ; or, in other words, to govern by the sword. They took, in concert with the republicans, the course most honour-

* Journ. Parl. Hist. Ludlow.

† Whitelock's Memorials.

able to their integrity and their prudence, — the recall of that parliament which had been violently set aside by Cromwell. They thus refreshed and fortified the revolution, by bringing it back to its principle. Ludlow and Lambert, the one representing the republican, the other the military party, waited upon Lenthall, and requested him to resume his functions as speaker. That person, content with the profit and honour of the mastership of the rolls and his seat in the other house,—fatigued with revolution, and doubtful of the issue, — expressed great reluctance ; especially on the ground of a solemn private matter with which he was occupied at the moment. They desired he would explain ; and after pressing solicitation, were informed by him that it was a matter of no less concern to him than the salvation of his soul ; he was preparing for the sacrament. They rejoined, that mercy was better than sacrifice ; and that his best preparation would be to do his duty to his country.*

A list of the surviving members of the long parliament, as it stood in 1653, at Cromwell's usurpation, was prepared by Ludlow ; the council of officers issued a summons calling upon them to resume their trust † ;

* Ludlow, ii. 844, &c.

† The following is the invitation of the officers. There is in its tone something curiously expressive of the spirit of the time :—

" The public concerns of this commonwealth being, through a vicissitude of dangers, deliverances, and backslidings of many, brought into that state and posture wherein they now stand ; and ourselves also contributing thereunto, by wandering divers ways from righteous and equal paths ; and although there hath been many essays to obviate the dangers, and to settle these nations in peace and prosperity, yet all have proved ineffectual ; the only wise God, in the course of his providence, disappointing all endeavours therein : and also observing, to our great grief, that the good spirit which formerly appeared amongst us, in the carrying on of this great work, did daily decline, so as the Good Old Cause itself became a reproach ; we have been laid to look back, and examine the cause of the Lord's withdrawing his wonted presence from us, and where we turned out of the way, that, through mercy, we might return and give him the glory. And, amongst other things, calling to mind, that the Long Parliament, consisting of the members which continued there sitting until the 20th of April, 1653, were eminent asserters of that cause, and had a special presence of God with them, and were signally blessed in that work (the desires of many good people concurring with ours therein), we judge it our duty to invite the aforesaid members to return to the exercise and discharge of their trust, as before the said 20th of April, 1653, and therefore we do hereby most earnestly desire the Parliament, consisting of those members who continued to sit since the year 1648, until the 20th of April, 1653, to return to the exercise and discharge of their trust, and we shall be ready, in our places, to yield them, as becomes us, our

several members met accordingly in the painted chamber. Lenthall, thinking better of it, placed himself at their head, and they proceeded to the house of commons, escorted by Lambert with a military guard. This took place on the 7th of May.

The presbyterian members expelled, or, as it was expressed, secluded from parliament in 1648, proceeded now to take their places with Prynne at their head, but were refused admittance. As if to prove that the spirit which excluded them was still dominant, it met them at the door in the person of colonel Pride.

There is much to admire in the vitality and energy which still resided in this mere remnant of the famous long parliament. He who would judge it fairly should spurn from his view the ignominious nickname and servile slanders which have adhered to it through nearly two centuries. The first act of the restored parliament was to issue a declaration of its purpose to secure liberty, property, and the magistracy, "without a single person, kingship, or a house of peers." A provisional committee of safety, to act only for eight days, was appointed ; all writs were ordered to run in the name of the keepers of the liberty of England ; and a new seal of the commonwealth, as used before Cromwell's usurpation, was placed in the hands of Bradshaw, Tyrrell, and Fountain.

The republican upholders of the supremacy of the civil power, as Haselrig, Vane, and Ludlow, were associated in the new administration both of the army and the government, with the leading officers, as Fleetwood, Lambert, and Sydenham, and the commissions of officers ran in the name of the parliament. Thus the

utmost in assistance to sit in safety ; for the improving the present opportunity, for settling and securing the peace and freedom of this commonwealth ; praying for the presence and blessing of God upon their endeavours. Signed, by direction of the lord Fleetwood and the council officers of the army, Tho. Sandford, Sec., May 6, 1659. Which Declars action (say the Journals) was this day presented to the speaker by lord Lambert, Berry, and Cooper, sir A. Haslerig, major-gen. Lilburne, col. Ashfield, col. Salmon, sir Jeremy Sankey, major-gen. Kelsey, col. Okey, capt. Blackwell, major-gen. Haynes, lieut.-col. Allen, major Packer, lieut.-col. Pierson." — *Parl. Hist.* iii. 1546, 1547.

civil power was apparently supreme. Addresses were transmitted, not only from the army of England, but from that of Ireland through Henry Cromwell, and from the army of Scotland through Monk. The restored parliament and commonwealth had every appearance of stability.

Even the foreign relations were maintained with all the vigour of the protectorate. Algernon Sydney was sent as ambassador to mediate peace between Sweden and Denmark, and dictated rather than negotiated conditions, to which the king of Sweden, then besieging Copenhagen, reluctantly submitted.* The new or restored commonwealth was all this time threatened from without and within with the elements of dissolution.

The first danger that menaced the parliament was that of foreign invasion: so early as the 8th of May, major Salway, from the committee of public safety, reported intelligence that Charles Stuart designed a speedy invasion, and that some of his emissaries who attempted to seduce the army were apprehended. Fleetwood was declared commander-in-chief in England and Scotland; a committee of five persons, with Fleetwood at its head, was appointed to nominate such officers as should receive commissions from the parliament; and the committee of safety now shared the administration with a council of state of twenty-one members.† It is charged upon the officers, especially by Ludlow, that they arrogated too much already, and strongly inclined to the satellites of Oliver and Richard, in preference to the republican officers who had been deprived of their commissions by Cromwell. This appears to have been but the umbrage of

* Whitelock, p. 680, &c. Thurloe, State Papers, vii. 724, &c. He is said to have complained that commonwealths, according to one version — parricides and pedlars (the English and Dutch), according to another, — gave the law to crowned heads.

+ The following are the names: — “ Sir A. Haslerig, sir H. Vane, lieut.-gen. Ludlow, lieut.-gen. Fleetwood, major Salway, col. Morley, Mr. Scott, Mr. Wallop, sir J. Harrington, col. Wanton, col. Jones, col. Sydenham, col. Sydney, Mr. Nevill, Mr. Chaloner, col. Downes, lord chief justice St. John, col. Thompson, lord commissioner Whitlocke, col. Dixwell, and Mr. Reynolds.” — *Parl. Hist.* iii. 1555, 1556.

a jealous republican. The pressing danger was from the royalists ; and the satellites, so called, of the protectorate, were interested equally with the republicans in guarding against it. Never was a combined movement of insurrection and invasion so ill managed and easily defeated as that of the royalists.

The death of Cromwell was a signal for their intrigues. A close and extensive union took place between the cavaliers and the presbyterians. Lords Fairfax, Willoughby, Manchester, and Denbigh, sir William Waller, sir George Booth, sir Anthony Ashley Cooper, sir Horatio Townshend, Popham, Mansfield, and Howe, pledged themselves to the restoration of Charles II.* Of the military officers who served Cromwell, colonels Howard (afterwards earl of Carlisle), and Ingoldsby, major-general Browne, and admiral Montague, were traitors to the government which they professed to acknowledge and serve.† It is stated that even the sons of Cromwell listened for a moment to the suggestions of the royalists through their brother-in-law lord Falconberg.‡ The plot was conducted in London by lords Bellasis and Loughborough, colonels Russell and Villars, sir William Compton, Mordaunt, already mentioned, and sir Richard Willis, who constituted the royalist committee called “The sealed knot.” A general rising was organised throughout England, and Charles, with his brother the duke of York, approached the coast to be in readiness to land and take the nominal command. The conspiracy § was ready to explode in the summer of this year. The perfidy of one man, combined with the awe and terror with which the cavaliers regarded the commonwealth, prevented the explosion. Sir Richard Willis, it has been observed, had the confidence of the royalists, whilst he acted as the spy of both Oliver and Richard. Acting

* Clar. State Papers, iii. 391. 400. 418, *et seq.*

† Life of James II. from his MS. Mem. i. 369, 370.

‡ Clar. State Papers, iii. 40.

§ Mr. Hailam calls it “a general concert for the restoration of ancient laws and liberties.” A government forcibly imposed by irritated cavaliers and deserters from the commonwealth with swords in their hands, must have had still less of law and liberty, and much more of proscription, persecution, and bloodshed, than the restoration which took place peaceably, through the formal agency of parliament.

under the direction of Thurloe, he persuaded "the sealed knot" to postpone the rising*; and counter-orders were issued, both at home and abroad, to the leaders of the invasion and conspiracy,—with the exception of one. Sir George Booth, who was charged to head the insurrection in Cheshire, through some oversight, was not apprised that the general rising was deferred. He took the field, possessed himself of Chester, and was joined by lords Derby and Herbert, with a reinforcement out of Wales. His force and success at the first onset were so imposing that Charles and the duke of York once more resolved to risk a landing in England.† Lambert was sent by the parliament against the insurgents. He attacked them with so much vigour that they fled at the first onset, and were scattered, cut to pieces, or made prisoners in their flight. Booth himself was seized in disguise, and committed to the Tower.

* The following account of his conduct is given by James II. :—

" This person was sir Richard Willis, as it was afterwards discover'd to his majesty by the means of Mr. Moreland, he being one of those who was entirely trusted by the king in the management of this design, and of THE SELECT KNOTT (as they call'd them); and having been so all along, was corrupted by Cromwell for some time before he dy'd; and constantly betray'd to him during his life, and after his death to those who succeeded him, our whole affaire, thō not the persons of any of his friends (for such was the agreement he had made with that party), undertaking either to frustrate any of the king's designs, or at least to advertise them so early, that they might secure themselves from any such attempt: and he never fail'd them in any thing he promis'd; nor was ever press'd by Cromwell or others after him, to discover any particular persons who were carrying on his majesty's seruice; neither did he betray any of them in this present juncture, thō he had it in his power to haue put the duke of Ormonde into their hands, when he was privately in England.

" And now, according to his former practices, he set upon it to break this whole design: which he compass'd, by persuading THE SELECT KNOTT, when all things were in a readiness and the day appointed just at hand, to defer the rising for ten days longer; using such arguments to work them into his opinion, as indeed were plausible enough, thō not convincing, if they had been throwly consider'd. But there was no room left for suspicion of such a man, whom they look'd upon as one firm to his master's seruice, and to be as forward as the best of them for such an undertaking; so that his advice prevailing, orders were accordingly dispatch'd to all who were ingag'd, that they should not take up armes till farther directions were sent them: only sir George Booth had 'no notice given him of this counterman' ; of whose intentions to rise, Willis accidentally knew nothing; but at the same time he sent over to Bruxelles, and advertis'd the king that the business was put off, when both the king and duke were just ready to haue come for England." — *Life of James II. &c. i. 370, 371.*

+ Charles was made to suspect his brother of intriguing with the catholic party in England, to be made king, and watched him with jealous suspicion. (*Clar. State Papers*, vol. iii. *Life of James II.* p. 272, &c. 371—375.) There is no fact in evidence against James; and whatever his faults as a sovereign, he was incapable of supplanting his brother.

Meanwhile Richard Cromwell had formally abdicated. He sent his abdication with a statement of his debts to the parliament; received 2,000*l.* to defray the expenses of his removal from Hampton Court, with a promise of ample provision, and exemption from process by his creditors* during six months; and went back into that obscure retirement which best suited his mediocrity. His brother Henry, finding his officers resolved to act in concert with the military party in England, resigned his command, returned to England and made a report of the state of Ireland to the parliament; was succeeded in his government by Ludlow; and retired into private life, like his brother.

But whilst the royalist insurgents were scattered in the field, and all danger or opposition from the family of Cromwell disappeared, the commonwealth was hastening to a fatal crisis, through party rivalry and dissension. A schism broke out between the parliament and the officers. The republicans would maintain, without compromise, the supremacy of the civil power over that of the sword. This principle, however excellent in general, was insisted on with jealous rigour most imprudently in the particular state of parties and of the commonwealth. It is obvious that the officers constituted the strength and safety of the republicans, and the parliament. It was, under these circumstances, the last degree of imprudence on the part of the republicans to irritate and defy their allies and protectors in the presence of the common enemy. The pretensions of the officers were unwarrantable, but should yet have been met, if not with concession, at least with conciliation. The army party was not a pretorian band,

* The following entry appears on the Journals:—

“ Saturday, July 16. Colonel John Jones reported from the committee for considering of conferring a comfortable and honourable subsistence on Richard Cromwell: That his present clear yearly revenue, amounting (according to the forementioned schedule) to 1,299*l.* over and above the jointure therein mentioned, be made up to him 10,000*l. per annum* during his life. Lands of inheritance of 5000*l. per annum* value, to be settled upon him and his heirs, and thereupon 5000*l.*, part of the sum making up the 10,000*l.*, to abate in proportion. The debt undertaken to be paid by parliament to be satisfied by sale of the plate, hangings, &c. of Whitehall and Hampton Court.”

ready to sell itself and the empire to the highest bidder or to a military chief. The vanity of Lambert might be dangerous if allied with the genius of Cromwell, but was actually innoxious; and there was enough of republican humour among the leading officers and the army to float down the vital principle of the revolution and the commonwealth. Had the republicans been more politic and yielding, they might have saved their cause and their lives. The parliament displayed the fearless energy of its best days, but without the courage, no less valuable, of politic moderation—that courage and prudence which were so well displayed by the long parliament in keeping Essex to the line of his duty.

It were idle to inquire whether the quarrel of the officers with the parliament originated in personal ambition and selfish pretensions, or in reproaches addressed by the daughter of Cromwell to her husband Fleetwood, for his share in the fall of her family. Lambert, instigated it has been said by Fleetwood, began the collision immediately after his victory over sir George Booth. The parliament voted him 1000*l.* to purchase a ring as an honorary reward of his services. He accepted the reward in money, which he employed in corrupting the faith of the soldiers. The result was a petition to the parliament from the army, desiring that Fleetwood should be appointed lord general, Lambert major-general, Desborough general of the horse, and Monk general of the infantry.

The parliament appears to have been more agitated than alarmed by this proceeding of the army. On the 22d of September the door of the house was locked, and after a secret debate it was ordered that the intended petition should be communicated to the house by lieutenant-general Fleetwood. It was accordingly presented by him in the afternoon, and after a long and violent discussion, the matter was adjourned to the following morning. The parliament had great confidence in the army of Scotland, under Monk, and in that of Ireland, under Ludlow. Haslerig, with his uncompro-

mising principles and impetuous temper, proposed that Lambert should be impeached and the petition censured. The house confined itself to passing a resolution, which declared "that to have any more general officers in the army than are already settled by the parliament is useless, chargeable and dangerous to the commonwealth."* It was voted at the same time that the command of the militia, that is, the power of the sword, should be vested in seven commissioners, acting under the authority of parliament, and that to levy money, otherwise than by vote of the house, was high treason. Fleetwood was appointed one of the militia commissioners, with three of the most zealous republicans, Haslerig, Overton, and Ludlow; and the noted Monk. Ludlow had recently come over from Ireland with leave of the house, and Monk was in Scotland.

These resolutions were conveyed by order of the parliament to the council of officers, through Fleetwood. They produced not submission, but "a representation and petition," still more explicit and fearless than the former. It was presented on the 5th of October, by Desborough. As this representation led once more to the violent expulsion of the long parliament, and sets forth the case of the army in its own words, it merits more than common attention. To it indeed may be mainly referred the restoration of the Stuarts. The officers premise the following allegations:—

"I. That, notwithstanding what any persons may suggest or say to the contrary, we are not for, but against, the setting up of any single person whatsoever in supreme authority; and, for a demonstration hereof, we may appeal to your own judgments upon our late actings; wherein, since our declaration of the 6th of May last, we have, with all industry and faithfulness, endeavoured to render ourselves serviceable to you and this commonwealth, and have cheerfully observed your commands, some of us with our lives in our hands, in your late service; wherein, to our great encouragement, the Lord

* Journ. Sept. 23.

hath once more appeared to own you and your army, and the good old cause for which we have contended ; and, at the late return of this parliament to the discharge of their remaining trust, we did, with simplicity and plainness, in our humble petition and address presented unto you, manifest our hearts and desires, and that with sweet unanimity and fulness of consent, which we apprehended was well accepted by you. II. That we have not since changed our principles (leading to a well-regulated commonwealth, wherein the the liberties of the people thereof, both spiritual and civil, may be fully secured, and persons of known integrity, piety, and ability, employed in places of trust and concernment), but resolve, by the assistance of God, to remain constant to them.”*

To the end that the public enemy (the royalists) and the fomenters of discord might be disappointed, and a good understanding preserved between the army and the parliament, the officers, at conclusion “ humbly pray—

“ I. That the officers of the army, and particularly those who have reason to bear the marks of your favour, for their faithfulness in the late northern expedition, may stand right in your opinion, and have your countenance. II. That whatsoever person or persons shall, for the future, groundlessly and causelessly inform the house against your servants, thereby creating jealousies, and casting scandalous imputations upon them, may be brought to examination, justice, and condign punishment. III. That it being an undoubted right of the people to have liberty, in a peaceable and submissive way, to petition the supreme authority ; which liberty hath been by yourselves asserted, allowed, and approved of; we cannot but also assert the said liberty, and humbly conceive that your faithful servants of the army have no way forfeited their rights as freemen ; and that therefore they hope it will be no offence for them to submit their humble desires to the parliament, and we hope and pray you will not discourage them from so doing.

* Parl. Hist. iii. 1564, 1565.

IV. That you would be pleased to take into your serious consideration the necessitous condition of the poor soldiers of your armies ; and that all possible care may be taken for their timely supply, their wants being such as earnestly call for it ; and that some speedy and effective course may be taken to provide for the maimed soldiers, and the poor widows and orphans of such as have been slain in your service, that the blessing of the desolate may be upon you. V. That such who have freely offered themselves, in the several counties and cities of these nations, to own and stand by you and your cause in the late insurrection, with the hazard of all that is dear unto them, may have your encouragement, and be employed in places of trust and command. VI. That (it being a thing granted by all, that, without due execution of martial discipline, the peace, union, and good government of an army cannot be preserved) the discipline of the army may be preserved inviolable ; and in particular, that no officer or soldier of your army may be cashiered, or dismissed from their places, without a due proceeding at a court-martial, or by his own consent ; except in cases of reducements or disbandings. VII. That it being judged necessary by the parliament, for the keeping of the army under such a conduct as may render the same serviceable to the commonwealth, to appoint a committee of nomination, for the proposing of officers to the parliament for their approbation, we humbly pray that no officers may be brought into the army, but such as shall first come under the consideration of the said committee, and be by them presented. VIII. The office of the commander-in-chief of the army being of so great concernment to the peace of this commonwealth, and his commission at present, as we conceive, expiring within a few months, we humbly pray that the consideration of that matter may come before you, and some such effectual course taken therein, as may prevent our fears, and the hazard of leaving the army to confusion.”*

* Journ. Oct. 5. 1659. Parl. Hist. iii. 1565, 1566.

The parliament treated this representation in such a manner as led unavoidably to extremities. The debate upon it continued through the 10th, 11th, and 12th of October. Each article of the remonstrance was separately refuted and censured, and it was finally voted that Lambert, Desborough, Berry, Kelsey, Ashfield, Cobbett, Packer, Barrow, and Creed should be deprived of their commissions. Lambert, with his impatient vanity and personal courage, Desborough, with the rude earnestness of his principles which did not yield even to Cromwell, were little likely to submit; and the other officers, with the bulk of the army, were in a temper to join them. Lambert accordingly invested the avenues to the house of commons next day with two regiments; gained over the regiment of Okey, which was charged with the guard of parliament; interrupted and turned back the speaker, Lenthall, and other members, on their way to the house; and possessed himself, by persuasion and concert with the troops stationed by the parliament for its protection, of the several military posts round Westminster-hall, and of the house itself.

The supreme power was thus grasped once more by the army, and the revolution, it may be said, had begun over again. The nation, as to government, was in the same condition as at the execution of the king; but the public opinion, the popular feeling, and the state of parties, were wholly different. The following sketch of the views entertained by speculating theorists and party chiefs is given by one who was actually engaged in the transaction of the time, and more especially of the hour.

"At this time the opinions of men were much divided concerning a form of government to be established amongst us. The great officers of the army, as I said before, were for a select standing senate, to be joined to the representatives of the people. Others laboured to have the supreme authority to consist of an assembly chosen by the people, and a council of state chosen by that assembly to be vested with the executive power, and accountable to that which should next succeed, at which

time the power of the said council should determine. Some were desirous to have a representative of the people constantly sitting, but changed by a perpetual rotation. Others proposed that there might be joined to the popular assembly a select number of men in the nature of the Lacedæmonian *Ephori*, who should have a negative in things wherein the essentials of the government should be concerned, such as the exclusion of a single person, touching liberty of conscience, alteration of the constitution, and other things of the last importance to the state. Some were of opinion, that it would be most conducing to the public happiness, if there might be two councils chosen by the people, the one to consist of about 300, and to have the power only of debating and proposing laws ; the other to be in number about 100, and to have the power finally to resolve and determine. Every year a third part of each council to go out, and others to be chosen in their places. For my own part, if I may be permitted to declare my opinion, I could willingly have approved either of the two latter propositions; presuming them to be most likely to preserve our just liberties, and to render us a happy people."*

The public mind at the same time was fatigued and disgusted with the perpetual shiftings of the political scene, and the consequent insecurity of all rights, private and public. The English people, abhorring, like all other freemen, the dominion of the sword, were shocked beyond patience by its last flagrant recurrence ; and the ignorant, unreflecting populace, disposed to excess alike in its moments of insubordination and servility, entertained dreams of a golden age of happiness from a restoration. The position of the council of officers, however, was environed with difficulties. It was one in which they had unwarrantably if not criminally placed themselves ; but justice has not been done to the capacity, and even virtue, with which they proceeded to maintain it. It is charged upon them that they proposed to erect themselves into a permanent oligarchy ; but they professed their desire

* Ludlow's Mem. ii. 674, 675.

to call a free parliament ; their measures were such as might be taken by men entertaining the best affection to the commonwealth ; and it is some testimony to the vigour and virtue of their proceedings and purposes, that they were joined by such men as the prudent Whitelock, and such republicans as Ludlow, Salway, and Vane.

The breaking up of the parliament rendered it necessary to set aside the council of state. This was done without violence. Colonel Sydenham, a member of it, justified the proceedings of the officers, in the language of the time, as a particular inspiration of Providence Bradshaw, the president, then wasting under a slow fever, of which he soon died, interrupted and rebuked him with a vehemence of emotion which seemed to restore for a moment his bodily health. He stood up to address the council, declared his abhorrence of the treason of the officers, said he could not hear the name of God blasphemed when he was so near appearing in the divine presence, retired from the council room and from the world, and died after the lapse of a few days, protesting in his last moments, and about to undergo the divine judgment, that were he again to sit in judgment upon Charles I. he would vote as he had done.*

A council of ten was appointed in lieu of the council state, to carry on the government. It was composed of Fleetwood, Lambert, Desborough, Whitelock, Harrington, Vane, Sydenham, Berry, Salway, and Wanton. A committee composed of Fleetwood, Lambert, Desborough, Vane, Berry, and Ludlow, was charged with the nominations of officers of the army ; Fleetwood was continued commander-in-chief, and a declaration was published “of the grounds and reasons of the late proceedings.” But a sudden check was given to the officers, and a new turn given to the course of public affairs, by the entrance of a leading person now for the first time on the public stage,—the famous or infamous George Monk.

The conduct of Monk in bringing about the Restor-

* Wood, Athen. Oxon. art. Bradshaw.

ation would divide English opinion at the present day as decisively, though not quite so vehemently, as it divided that of his contemporaries. It is a question of which the settlement is impossible. It will be litigated until English party shall no longer be distinguished by its leaning to court power on the one side or popular freedom on the other ; and which, perhaps, would divide the people if there was no longer a court. No opinion need here be given upon a question so vexed and interminable ; but it may be right to say something of the previous career and character of Monk.

He was a soldier of fortune * ; that is, an unit of human life essentially selfish and isolated ; and he did not possess the solitary moral virtue of that character — fidelity to his standard. He was born in Devonshire of respectable parentage, but so ill provided that he served as a private in the expeditions to Cadiz and the isle of Rhé. His first commission was that of ensign in the Low Countries, from which he soon returned to take service from the parliament against the rebels in Ireland. He soon deserted the parliament ; but yet inspired the royalists with so little confidence, that he was deprived of his command by Ormond. He vindicated himself to the king, then at Oxford, so fully, that he was restored ; soon became the prisoner of Fairfax, and was shut up for about two years in the Tower. Upon the total discomfiture of the royalists he went back to the parliament, recommended himself to Cromwell, attended him in his expedition to Scotland, and is said to have been particularly distinguished at the battle of Dunbar. He proved himself a good soldier in the performance of minor services ; and his great naval victory over the Dutch appears to have been the result of daring resolution, rather than of any of those inspirations which mark the genius of a great captain. Cromwell appears to have confided in him steadily, in spite of warnings to beware of him. But that penetrating ob-

* It has been said of him that he might have been more appropriately called " a scoundrel of fortune."

server of human motives may have calculated upon Monk's shrewd views of his own interest, not upon his faith. He is described as cold, proud, ambitious, and covetous ; relentlessly cruel, not from passion or emotion, but from a self-concentrated indifference to all but his own interests, and the absence of sympathy with mankind. He is said to have been a person of a still looser morality in his private habits than his public life ; but a moderate indulgence in wine would be called debauchery, and his having a family by a mistress whom he ultimately married would be termed profligacy, according to the puritan standard of religion and morals in that age.

Monk, upon the breaking up of the parliament by the officers, new-modelled the army in Scotland under his command, by taking away and conferring commissions at his discretion.* His purposes were wholly unknown ; and were not perhaps yet resolved in his own mind beyond the general intention of being governed by circumstances and his interest. Having prepared his army to second his views, he addressed from Edinburgh a letter to the speaker Lenthall, in which "he called God to witness, that the asserting of a commonwealth was the only intent of his heart † ;" and moved towards England. Lambert was despatched by the provisional government northward to meet him. The troops under Lambert were ill provided and insubordinate ; the military activity for which he was distinguished could not avail him, and he listened to overtures of accommodation from Monk. The result was, an agreement that a parliament should be called, and the government settled as a commonwealth, without kingship, single person, or house of lords. Monk, meanwhile, practised secretly with the Scotch presbyterians, the late parliament, the republicans — all parties, in short, but the royalists, from whom he kept studiously aloof ; —

* "I have," he writes to Lenthall, "according to your act of the 11th instant, being appointed a commissioner for the government of the army, put out such persons as would not act according to your commission."

† Parl. Hist. iii. 1569.

disavowed the agreement on the ground that his commissioners exceeded their authority *, advanced into England, and was joined by the regiments which Lambert led northward to oppose him.

Haslerig and other republicans, duped by the protestations of Monk†, joined and co-operated with him. Admiral Lawson entered the Thames with his squadron in the name of the parliament and commonwealth ; the military junta of government was not merely distracted, but disorganised ; all was revolt and chaos ; the most various speculations for the settlement of the government,—even the recall of the phantom Richard,—were afloat. Every form was propounded but that of the restoration—every name pronounced but that of Charles — which were yet, no doubt, blended in secret, with hope or fear, at the bottom of every heart.

Monk's purpose of recalling the Stuarts now began to be suspected through his protestations and perjuries. He addressed his professions of republicanism and aversion from kingship, among others, to Lambert and Fleetwood. The latter showed his letter to Whitelock, who instantly discovered and declared that Monk's object was delay, for the better preparing his design to bring in the king.‡ Others entertained the same suspicion. Whitelock, confirmed and advised by them, urged Fleetwood to save himself, his friends, and his party, by sending an envoy to Breda and inviting the return of Charles II. Fleetwood was persuaded, and charged Whitelock with the mission. At this moment Vane, Desborough, and Berry called on Fleetwood, and spoke to him privately for a quarter of an hour. Fleetwood now declared to Whitelock that his mind was changed. Whitelock asked what arguments had been used to dissuade him ; upon which he replied, that he had been reminded

* They were three of his confidential officers, Knight, Clobery, and Wilkes.

† Writing to Haslerig, he says : " As to a commonwealth, believe me, sir, for I speak it in the presence of God, it is the desire of my soul." — *Clar. State Papers*, iii. 678.

‡ Mem. p. 689.

by those gentlemen of his pledge to Lambert, “not to do any such thing without his consent.” Lambert and Fleetwood then must have entertained the question of recalling the Stuarts. “But Lambert,” rejoined Whitelock, “is at too great a distance to be consulted.” “I cannot,” said Fleetwood, “do it without him.” “Then,” said Whitelock, taking his leave, “you will ruin yourself and your friends;” to which Fleetwood could only answer, that he could not help it; he was pledged.

Thus momentous were the consequences of the accidental presence of Vane, Desborough, and Berry, and the scrupulous good faith of Fleetwood. He is said to have indulged in weak lamentations and drivelling piety, when the ruin of his cause, and as he thought, doubtless, of his country, forced themselves on his conviction.

1660. The defection of the army from the officers, and the popular feeling in the capital, were now so decisive, that the indestructible long parliament gave signs of life, and resumed its sittings. It would seem that not only was it inextinguishable but unchangeable. Its proceedings soon displayed the old stamp and temper of its character — alike uncompromising with the defection or failing of friends and the hostility of opponents. Among its first votes were a fresh abrogation of the title of the Stuarts, and a resolution that sir Henry Vane should be sequestered from his seat, and confined to his house, during the pleasure of parliament. His offence was his momentary adhesion to the council of officers. It is one of those acts which prove Vane a sagacious and sound politician. He saw that the commonwealth could be saved only by union with the army. Salway incurred its censure for the same reason; Lambert, Desborough, Ashfield, Kelsey, Berry, Cobbett, Creed, and other officers, were adjudged to the loss of their commissions, absence from London, and imprisonment during the pleasure of parliament in their houses.*

Monk, meanwhile, was advancing towards the capital. His force of about 7000 men, with which he crossed

* Whitelock, p. 693.

the border, was greatly increased by defection from the council of officers. The soldiers joined him under the impression that they were adhering to the parliament and the commonwealth, and the parliament completed its infatuation by inviting him into the capital.

They perceived their error when it was too late to repair it. Monk having fasted and prayed for a day at St. Albans, wrote to the parliament, desiring that every regiment which had taken part with the council of officers, though since returned to its duty, should be removed from London. They now saw that Monk would be their master, not their servant, and were yet under the necessity of complying. He accordingly entered, and it may be said occupied, the capital with his troops, took up his quarters at Whitehall, and received in person the thanks of parliament, by the mouth of the speaker. Monk made a speech of some length in reply. It might be expected that now, master of the capital, the parliament, and the army, the crisis was arrived when he would disclose his views. Two courses only would open themselves to such a man—the restoration of the Stuarts, and the example of Cromwell. Monk, to whom the sentiment of liberty and moral obligation were alike unknown, could not think for a moment of establishing a free commonwealth. It is said that both advice and assistance were proffered to him for settling the government as a commonwealth, of which he should be chief magistrate—by the king of Sweden, by cardinal Mazarin, and even by Haslerig and other republicans. But Monk was a cold, clear-sighted, and sordid calculator: he did not possess (and he knew it) that magical ascendant of Cromwell over the imaginations and affections of the army and the people: he was ambitious and fearless, but his ambition was allied to avarice: it was circumscribed within what may be termed the mere sensualities of wealth and power: the intellectual and moral and imaginative did not, as with Cromwell, predominate in him: his views and aspirations wanted the grandeur, elevation, and daring which characterised

the genius of the illustrious usurper. He therefore preferred the safer and humbler course to bring back the Stuarts, which even at this crisis he kept buried within his own bosom. In his speech to the parliament, he continued to play upon the hopes and fears of parties. But whilst he professed to be the humble instrument of Providence and the parliament, he took upon him to advise in the tone of a dictator, and whilst he showed his leaning to the moderates, so called, and especially eulogised the presbyterians of Scotland, it was not difficult to perceive, that whilst expressly reprobating the cavaliers, he contemplated the settlement of the nation in a monarchy. He addressed the parliament through the speaker in the following strain of hypocritical humility :—

“ Amongst the many mercies of God to these poor nations, your peaceable restoration is not the least : it is his work alone, and to him belongs the glory of it ; and I esteem it as a great effect of his goodness to me, that he was pleased to make me, amongst many worthier in your service, some way instrumental in it.”* He next communicates what he observed of the state of public opinion as he marched from the border to the capital :

“ Sir, I shall not now trouble you with large narratives ; only give me leave to acquaint you, that, as I marched from Scotland hither, I observed the people in most counties in great and earnest expectations of settlement ; and they made several applications to me, with numerous subscriptions. The chiefest heads of their desires were, for a free and full parliament, and that you would determine your sitting ; a gospel ministry ; encouragement of learning and universities ; and for admittance of the members secluded before 1648, without any previous oath or engagement. To which I commonly answered, that you are now in a free parliament ; and if there be any force remaining upon you I would endeavour to remove it : and that you had voted to fill up your house, and then you would be a full parliament also ; and that you had already determined your sitting ; and for the mi-

* Parl. Hist. iii. 1575, 1576.

nistry, their maintenance, the laws and universities, you had largely declared in your last declaration, and I was confident you would adhere to it; but as for those gentlemen secluded in 1648, I told that you had given judgment in it, and all people ought to acquiesce in that judgment; but to admit any members to sit in parliament, without a previous oath or engagement to secure the government in being, it was never yet done in England, and although I said it not to them, I must say it with pardon to you, that the less oaths and engagements are imposed, (with respect had to the security of the common cause,) your settlement will be the sooner attained to.*

It is obvious that this is the language of a sovereign or first magistrate of the state communicating with the parliament, not of a public servant rendering an account to the power which he professed to serve. His suggestion against oaths and engagements was doubtless intended to open the way for presbyterian monarchists. These men had a conscience. Monk could not have designed it for the benefit of the cavaliers, or for his own; perjury was the great engine by which he worked, and the cavaliers took engagements and oaths with little or no scruple. He further counselled them as follows ; — “I know all the sober gentry will heartily close with you, if they may be tenderly and gently used; and I am sure you will so use them, as knowing it to be our common concern, to expatriate, and not to narrow our interests; and to be careful neither the cavalier nor fanatic party have yet a share in your civil or military power.” † He concluded by advising the passing of an act for the settlement of estates confiscated to soldiers and adventurers in Ireland; and as for Scotland, a nation which, he said, deserved much to be cherished, and which he recommended to their affection, entertained the utmost dread of being overrun with fanatic notions. His frequent use of the designation of “fanatics” brought the term into vogue. It was in his mouth an unmeaning or vague term, intended by him to flatter

* Parl. Hist. iii. 1575, 1576.

† Id. ibid.

the presbyterian abhorrence of religious speculation and sectarian liberty.

This speech, from which much was expected, wrought still higher the state of anxiety and suspense. There is in moral, as in physical relations, a certain point beyond which tension cannot be endured or carried. The nation lost all patience ; and began at last, even by the account of the republicans, to turn its eyes to the Stuarts as the only refuge.* The parliament lost its authority. The military, naval, and civil services were in arrear ; and the officers and soldiers, whose discontent was most dangerous, indulged in clamour and menace. Ordinances of parliament for the levy of taxes were reluctantly and but partially obeyed through the country ; and the common council of London came to a formal resolution against the payment of any tax or assessment until they should be imposed by a new and free parliament.†

* Memoir of Col. Hutchinson, by his widow. This relapse of the nation is indignantly rebuked by Milton: "For," says she, "this extolled and magnified nation, regardless both of honour won, or deliverances vouchsafed from Heaven, to fall back, or rather to creep back, so poorly, as it seems the multitude would, to their once abjured and detested thraldom of kingship; to be ourselves the slanderers of our just and religious deeds, though done by some to covetous and ambitious ends, yet not therefore to be stained with their infamy, or they to asperse the integrity of others; and yet these now, by revolting from the conscience of deeds well done, both in church and state, to throw away and forsake, or rather to betray, a just and noble cause, for the mixture of bad men, who have ill-managed and abused it (which had our fathers done heretofore, and on the same pretence deserted true religion, what had long ere this become of our gospel and all the protestant reformation, so much intermixt with the avarice and ambition of some reformers ?), and by thus relapsing, to verify all the bitter predictions of our triumphing enemies, who will now think they wisely discerned, and justly censured, both us and all our actions as rash, rebellious, hypocritical, and impious; not only argues a strange degenerate contagion, suddenly spread among us, fitted and prepared for new slavery, but will render us a scorn and derision to all our neighbours. And what will they at best say of us, and of the whole English name, but scoffingly, as of that foolish builder mentioned by our Saviour, who began to build a tower, and was not able to finish it? Where is the goodly tower of a commonwealth, which the English boasted they would build to overshadow kings, and be another Rome in the west? The foundation, indeed, they laid gallantly; but fell into a worse confusion, not of tongues, but of factions, than those at the tower of Babel; and have left no memorial of their work behind them remaining, but in the common laughter of Europe! What must needs redound the more to our shame, if we but look on our neighbours, the United Provinces, to us inferior in all outward advantages, who, notwithstanding, in the midst of the greatest difficulties, courageously, wisely, constantly went through with the same work, and are settled in all happy enjoyments of a potent and flourishing republic to this day."

† The two following entries on the Journals will give an idea of the

1660. RESOLUTION OF THE CITY AGAINST TAXES. 295

This direct defiance of the authority of parliament could not be overlooked ; and the city, naturally expecting attack, took means of defence. The parliament had now no force at its disposal but that of Monk ; he accordingly received orders from the council of state, of which he was a member, to enter the city, seize the chief instigators of the resolution against payment of taxes, and, in short, chastise the city into obedience. Monk undertook the service with alacrity ; and is said to have declared in the council of state, that some of the

financial state of the commonwealth, towards its close. " Thursday, April 7. (1659.) Report of the committee appointed to inspect the accounts of the public revenue, with the ordinary expense of the commonwealth of England, Scotland, and Ireland, for one year, with a state of the public debts : —

| | £ | s. | d. |
|---|-----------|----|----|
| " The income of England is stated to be | 1,517,274 | 17 | 1 |
| Scotland | 143,652 | 11 | 11 |
| Ireland | 207,790 | 0 | 0 |
| | <hr/> | | |
| The whole issues of England, for a year | 1,547,788 | 4 | 4½ |
| Scotland | 307,271 | 12 | 8½ |
| Ireland | 345,480 | 18 | 3 |
| | <hr/> | | |
| The annual income of England, Scotland, and Ireland | 1,868,717 | 9 | 0 |
| The annual issues of ditto | 2,201,540 | 15 | 4 |
| | <hr/> | | |
| The balance is | £ 332,823 | 6 | 4 |

The whole of the public debt, £2,474,290."

" June 8. A state of the public debts was presented to the House by Col. Downes, from the Committee of Inspection, whereby it appeared that

| | £ | s. | d. |
|--|-------------|----|----|
| There was owing to the land forces of England, Scotland, and Ireland, to the 20th of June 1659 | 600,944 | 16 | 6 |
| To the navy | 692,640 | 0 | 0 |
| That the growing charge to the 1st of Dec. 1659, for the land forces, amounted to | 447,236 | 12 | 8 |
| And for the navy | 607,645 | 0 | 0 |
| | <hr/> | | |
| Making in all | £ 2,348,466 | 9 | 2 |

Towards the discharge whereof the most that can be expected out of the excise and customs, estimated by six months, ended the 28th of May last, and the arrears thereof, will not exceed

| | | | |
|---|---------|----|-----|
| So there will require to balance, besides the charge of ships lately resolved by the parliament to be set forth | 706,492 | 9 | 11½ |
| | <hr/> | | |
| 1,641,973 | 19 | 2½ | |

Ready cash, there is none.

So that, admitting there be, according to the present order of the house, raised, by way of assessment, upon the three nations

| | | | |
|---|---------|-----|---|
| There will yet rest to be provided the sum of | 600,000 | 0 | 0 |
| | <hr/> | | |
| 106,492 | 9 | 11½ | |

citizens should be hanged by way of example. The service was performed by him in this spirit. He forced the guarded posts, arrested several persons, and sent them to the Tower ; added contumely to violence in his proceedings, and returned in triumph to Whitehall.

The ready and relentless execution of the orders of the parliament by Monk excited surprise ; his lending himself to a power which it was now well known he despised, and his outrageous provocation of a body so likely as the city of London to exercise great influence in any settling or shifting of the government, seemed inexplicable. The versatility with which he suddenly turned round upon the parliament was no less unaccountable and wonderful. His armed incursion into the city was made on the 9th of February. Next day but one he wrote a letter of reproach to the parliament for having put him upon so odious a service ; marched at once with a military guard into the city ; apologised to the common council, which had been assembled by his orders, through the lord mayor, and proposed a strict union between the city and himself, for the settlement of the commonwealth. The citizens received his repentance and his propositions with boundless joy, and pledged themselves to the proposed union.

The populace set no bounds to the manifestation of their satisfaction. Bonfires were lighted, and rumps, after having been paraded through the streets in derision of the parliament, were thrown into them and burned.

The sudden change of Monk has been ascribed to an interview with some leading presbyterians of the city, who convinced him of his error in becoming the instrument of the parliament, and persuaded him to make reparation to the citizens. This change of mind is most unlikely in the case of a man whose course of proceeding was marked by profound and systematic calculation. If, as is most probable, he wished to provoke a public expression of contempt and hatred against the parliament, he could not have adopted better means for his purpose ; it seems certain that at the very mo-

ment when he chastised the citizens into submission to the parliament, he already meditated its destruction. He well knew * that the parliament, at last sensible of its error in trusting him, sought a reconciliation with Lambert and Vane, that is, with the officers and the republicans, took measures for reconstituting the army into a militia, which should overawe that of the new dictator, and gave marked encouragement to a vehemently republican petition presented from “the well affected inhabitants of London and Westminster, by Praise-God Barbone.”† This petition prayed, among other things,

* He reproached the parliament in his letter of Feb. 11. with caballing with Lambert and Vane, and receiving a fanatic petition (see next note) with marked favour.

† This petition has been grossly misdescribed by Clarendon and the host of writers who follow him. The following extract will show that, however earnest and decisive in its tone and principles, it is wholly free from that raving or drivelling of religious fanaticism with which it has been stigmatised :—

“Whereas the good old cause was for civil and Christian liberty, against oppression and persecution. The oppressors and persecutors were, chiefly, the king, his lords and clergy, and their adherents, who, to effect their designs, raised war against the parliament. Whereupon the parliament, in defence of civil and Christian liberty, call the oppressed and persecuted to their aid ; by whose assistance the oppressors and persecutors have been subdued, kingship and peerage abolished, and persecution checked, by which the number of conscientious friends to the parliament have been so exceedingly increased, that they are now, by God’s assistance, in a far more able capacity of keeping down their enemies, than they were in those times when they subdued them. Nevertheless, so watchful hath the restless enemy been to make advantage, that what time after time, he hath lost in the field, he hath endeavoured to regain even in the parliament’s council ; where, because they had not the face openly to bring in the king, with the former oppressions and persecutions, they shrouded and veiled themselves, one while under a personal treaty, another while under a cloak or zeal against blasphemy and heresy ; their endeavours being to bring in the king upon any terms, to cherish the persecuting party, and to browbeat their most conscientious opposers. Upon which pretences they have, nevertheless, through tract of time, and the unsettledness of government, prevailed so far, under the notion of a moderate party, to get the subtlest of their friends into many places of trust and command, both civil and military ; through whose countenance and encouragement, albeit the parliament, upon good grounds, voted the government by kings and lords useless, burthensome, and dangerous, and declare very largely for liberty of conscience ; yet, of late, a general boldness hath been taken to plead a necessity of returning to the government of king and lords, a taking of the king’s son ; or, which is all one, for a return of the justly secluded members, or a free parliament without due qualifications ; whereby the good old cause of liberty and freedom (so long contended for against regal interests with the expense of much blood and treasure), and the assertors thereof, will be prostituted to satisfy the lust of the enemies of the commonwealth ; wherein they have prevailed so far, that, unless all conscientious persons in parliament, army, navy, and commonwealth, do speedily unite and watchfully look about them, the sword will certainly, though secretly and silently, be stolen out of their hands ; so also will they find all civil authority fall suddenly into the hands of their enraged enemies, and a return

that all persons holding office or sitting in parliament should abjure the Stuarts, any single ruler, and a house of lords, and that any person who propounded the title or recall of the Stuarts, or the settlement of the government in a single person, or the existence of a house of peers, should be deemed guilty of high treason.

Monk, in his letter of rebuke to the parliament, took the first step in the execution of his purpose to get rid of it. After his accustomed appeal to God, angels, and men, that his whole heart was devoted to the commonwealth, he intimated his desire that the house would fix a time for its own dissolution, and for calling a new parliament in compliance with the loudly expressed wishes of the nation. He at the same time resolved to strengthen his interest in the house, by restoring the secluded members to their seats, in express violation of his word to the existing parliament. A conference took place by his desire at his house between the secluded members and some of the members of the house. Their mutual alienation soon broke out into violent dispute, and the latter reported to the house the intention of the former to claim their seats. The parliament instantly denounced to Monk the intended intrusion of the secluded members. It would seem as if he rejoiced and revelled in gratuitous perjury. He replied to the parliament that such an intrusion was impossible,—that he should send a military guard to prevent any attempt: he kept his promise by giving the secluded members an escort of his officers to conduct them to their places; and he again called God to witness that he had nothing before his eyes but God's glory, and the settlement of the nation as a commonwealth. After complimenting a parliament which he hated or despised upon its wisdom, piety, and self-denial, he proceeds,—

“ I am in very good hopes there will be found in you all such melting bowels towards these poor nations, and

towards one another, that you will become healers and makers-up of all its woful breaches. And that such an opportunity may clearly appear to be in your hands, I thought it good to assure you, and that in the presence of God, that I have nothing before my eyes but God's glory, and the settlement of these nations upon a commonwealth foundation."

He next proposes his own view of the future settlement, protesting that he should throw himself down at their feet to be anything or nothing in pursuit of that great end.

" As to the way of future settlement, far be it from me to impose any thing ; I desire you may be in perfect freedom ; only give me leave to mind you, that the old foundations [the monarchy] are, by God's providence, so broken, that, in the eye of reason, they cannot be restored, but upon the ruin of the people of these nations, that have engaged for their rights in defence of the parliament, and the great and main ends of the covenant, for uniting and making the Lord's name one in the three nations. And also the liberty of the people's representatives in parliament will certainly be lost ; for if the people find, after so long and bloody a war against the king for breaking in upon their liberties, yet at last he must be taken in again, it will be out of question, and is most manifest, he may for the future govern by his will, dispose of parliaments and parliament men as he pleaseth, and yet the people will never more rise for their assistance. And as to the interests of this famous city, (which hath been, in all ages, the bulwark of parliaments, and unto whom I am, for their great affection, so deeply engaged,) certainly it must lie in a commonwealth ; that government only being capable to make them, through the Lord's blessing, the metropolis and bank of trade for all christendom, whereunto God and nature hath fitted them above all others. And as to a government in the church, the want whereof both been no small cause of these nations' distractions, it is most manifest, that, if it be monarchical in the state, the church must

follow, and prelacy must be brought in ; which these nations I know, cannot bear, and against which they have oft solemnly sworn : and indeed moderate, not rigid, presbyterian government, with a sufficient liberty for consciences truly tender, appears at present to be the most indifferent and acceptable way to the church's settlement." *

Lastly he suggests the following measures as of immediate and pressing necessity for the present peace of the nation : —

" 1. The settling the conduct of the armies of the three nations in that manner as they may be serviceable to the peace and safety of them, and not to its own and the nation's ruin by faction and division.— 2. The providing sufficient maintenance for them, that is, for the forces by land, and for the navy by sea, and all the arrears of both, and other contingencies of the government.— 3. The appointing a council of state, with authority to settle the civil government and judicatories in Scotland and Ireland, and to take care for the issuing of writs for the summoning a parliament of these three nations united, to meet at Westminster, the 20th of April next, with such qualifications as may secure the public cause we are all engaged in, and according to such distributions as were used in 1654 : which parliament, so called, may meet and act in freedom, for the more full establishing of this commonwealth *without a king, single person, or house of lords.* — 4. A legal dissolution of this parliament, to make way for succession of parliaments." †

Whilst Monk thus solemnly abjured monarchy and prelacy, the Stuarts and the peerage, he not only contemplated the restoration of all these, but advanced it by this very proceeding. Several of the republicans left the house in disgust, indignation, or despair, upon the intrusion of the secluded members, and the majority, now presbyterian, became subservient to his designs. The first act of the majority was to repeal

* Parl. Hist. iii. 1580.

† Id. 1581.

the ordinance of seclusion. They next invested Monk with more extensive powers, and the title of captain-general of the land forces of England, Scotland, and Ireland.* They appointed Montague and Lawson to the command of the fleet. They created a new council of state. Lastly, they brought in a bill for their own dissolution. Other resolutions were voted, pending the course of those bills. The most important of these, was a vote that the engagement to be faithful to the commonwealth, without king or lords, be discontinued, and the order expunged from the journals.† The presbyterians at the same time restored the covenant in the full plenitude of its intolerance. The tenacity of bigot-religionists is not strange; but it is truly extraordinary that the presbyterians should not be sensible of the incompatibility of the covenant with their purpose of recalling Charles II.‡

Whilst the counter-revolution was thus advanced by the arts of Monk, combined with the state of parties and public feeling, that person, instead of openly declaring himself, readjusted his mask still closer, with an increased vehemence of protestation and perjury. "Yea," said he to Ludlow, "we must live and die together for a commonwealth."§ Haselrig and some others of the republican party were startled at last into suspicion of his intentions, when they saw him restore the secluded presbyterians, and resolved, says Ludlow, "to be informed from his own mouth, of the reason of those proceedings."|| He received them with profound civilities,

* They voted at the same time to him and his heirs the manor of Hampton Court and other lands, Journ. Feb. 25. 1660, but this vote was subsequently commuted for a grant of 20,000*l.* Journ. March 15. 1660.

† Several of the secluded members, immediately on taking their seats, protested their innocence and abhorrence of the execution of the king. This was equivalent to declaring for the restoration of monarchy and the Stuarts. One member solemnly declared "he had neither hand nor heart in it." Upon which Scott, who, like Haselrig, was duped by Monk, said he wished the following inscription engraven on his tomb—"Here lieth one who had a hand and a heart in the execution of Charles Stuart, late king of England."—*Ludlow*, ii. 864.

‡ They at the same time issued a proclamation for reviving and enforcing, "strictly and effectually," against popish recusants, priests, and jesuits, all the laws and statutes which had fallen into desuetude under the rule of Cromwell and the independents. (Journ. March 5. 1660.)

§ *Ludlow's Mem.* ii. 834, 834.

|| *Id.* 846, 847.

and repeated his protestations of zeal for a commonwealth. To prove him still farther, they asked him whether he would join them against Charles Stuart and his party. He addressed himself more particularly to Haselrig, in reply. “Sir Arthur,” said he, “I have often declared to you my resolution to do so.” Then grasping the hand of Haslerig, he continued, — “I do here protest to you in the presence of all these gentlemen, that I will oppose to the utmost the setting up of Charles Stuart, a single person, or a house of peers.” Knowing from them that their suspicions were chiefly grounded on his restoring the secluded members, he expostulated with them in these words:—“What is it that I have done in bringing these members into the house? Are they not the same that brought the king to the block, though others cut off his head, and that justly.”* Haslerig and his friends appear to have been duped with unaccountable facility. They were not even yet disenchanted of their confidence in Monk. One circumstance only may be considered as some excuse for them. They took his refusal of the chief magistracy as a decisive proof of his zeal for the commonwealth.

The dissolution bill passed through its last stage on the 16th of March. It was entitled “An act for dissolving the parliament, begun and holden at Westminster on the 3d of November, 1640, and for the calling and holding of a parliament at Westminster, on the 25th of April, 1660.” A proviso was added, “that the single sittings of this house enforced by the pressing necessities of the times, are not intended in the least to infringe, much less to take away, that ancient native right which the house of peers, consisting of those lords who did engage in the cause of the parliament, against the forces raised in the name of the late king, and so continued to the year 1648, had and have to be a part of the parliament of England.” The parliament by the passing of this act stood *ipso facto* self-dissolved.

Thus perished at last the famous long parliament, and

* Ludlow's Mem. ii. 847.

with it perished for a time, in spite of its errors, the proudest traits of the English character, and the might and glory of the English nation.* Two reflections suggest themselves upon a view of its recent proceedings, and its close. The first is, the credulity with which the presbyterians seemed to entertain the undoubting confidence that they could restore the monarchy upon their own terms—that is, upon the terms which they offered Charles I., at the Isle of Wight, in 1648. These terms, it will be remembered, would impose strict limitations upon the crown.† In the second place, it is no less extraordinary that Monk should still veil his purposes in as profound secrecy as ever. He recoiled from every overture made to him by the partisans and agents of Charles II., whilst he declared at one moment that “he would spend the last drop of his blood rather than the Stuarts should come into England,” and imprecated at another, “that his right arm might rot off if he had the least design for the king.” But this reckless perjurer and consummate dissembler laboured at the same time to prepare the army for his purpose, by the removal and appointment of officers, and to influence the electors for the approaching parliament. Perhaps both these objects of his care may afford some clue to his reasons for continuing masked. The army not only by his account, but those of the royalists who corresponded with Charles and Clarendon, entertained the strongest antipathy both to the Stuarts and to kingship. He possibly did not think the military yet brought to a state in which he could safely trust them. Next, the uncertainty of the turn which the elections might take, may have made him hesitate at first to declare himself.

About the beginning of April Monk first listened to

* “Now,” says Mrs. Hutchinson (ii. 251.) “was that glorious parliament come to a period not more fatal to itself than to the three nations, whose love of liberty, their acts, and all their glory, gave place to the foulest mists that ever overspread a miserable people.”

† The meetings held, and views entertained, by the leading presbyterians, both lords and commoners, are stated in numberless passages of Clarendon’s and Thurloe’s State Papers, and Carte’s Collection of the Ormond Letters.

a communication from Charles II. He appears to have unbosomed himself before, but at what period is uncertain, to a gentleman named Morrice, who took no share in public affairs, and to whom he was attached by the ties of confidence and kindred. Sir John Grenville, one of Charles's gentlemen of the bedchamber, came over with renewed and more brilliant offers to Monk, and requested Morrice to present him to his patron. Monk desired that Grenville should make to Morrice any communication with which he was charged. Grenville twice refused to communicate with any one but Monk, and the latter, either satisfied of his discretion, or seeing no alternative, admitted him to his presence. The result was that Grenville left England with Monk's assurance that he would devote his services and life to the restoration of the king ; and his advice that Charles should instantly leave the Spanish territories for Holland, lest the Spaniards should detain his person until the splendid conquests of the commonwealth—Jamaica and Dunkirk—should have been given back. Monk opened himself to Grenville verbally, without reserve. His caution was such that he would give nothing in writing. It now becomes necessary to glance in retrospect at the situation of Charles II.

Charles II. was now in the thirty-first year of his age. The last twelve years of his life, with the exception of his expedition, which ended so unhappily for him with the battle of Worcester, were passed abroad. The misfortunes of his father and his own, joined with the powerless obscurity of his life and court, threw a shade over the vices of his education and character. He who had Buckingham for his companion, and Hobbes for his tutor, could hardly fail to have been depraved alike in his principles of morality and government. The depravation of his personal character was already known, but to those only who were near his person. “ I fear,” says Ormond, in a letter to Clarendon*, “ his immoderate delight in empty, effeminate, and vulgar conversation, is

* Clar. State Papers, iii. 387.

become an irresistible part of his nature." His mock court was the constant scene of intrigue and profligacy. The hostilities between England and Holland, the long war between France and Spain, the relations of Cromwell as a principal in the one, and an ally in the other, would have made Charles, even in exile, an important personage, or rather an important power. But such was the character of the prince and his court, that both were despised by the French, the Spaniards, the Dutch, and the protector. Insurrection and invasion were much less familiar to him and his followers as means of restoring him, than the assassination of Cromwell. It would appear that, in the strife of court intrigue, they were capable of employing the pistol or the poniard even against each other. The letter of one of Cromwell's royalist spies, in Thurloe's State Papers*, communicates that there were at one moment "thoughts of pistolling Hyde, because he knew too much to be disgraced." Bristol, Cole-pepper, and Hyde, were actuated by court passions as envenomed and restless as if Charles were already restored to the plenitude of his inheritance ; he was even taught to suspect his brother James of a design to wrest from him his phantom crown.† His fortunes and his hopes were at the lowest ebb, when a prodigious turn in his favour took place in England.

The war between France and Spain was now brought to a close, and cardinal Mazarin was negotiating with don Louis de Haro the memorable peace of the Pyrenees. Charles proceeded to the congress of the Pyrenees, with the view of obtaining some advantage by his presence. Ormond, who preceded him, in order to prepare the Spanish minister for his arrival, was referred by don Louis de Haro to Mazarin. Charles, accordingly, proceeded to St. Jean de Luz, where he expected to find the cardinal, who would not even admit him to an interview, lest it should give umbrage to the English commonwealth. Lockhart, the envoy, not of Oliver, or

* Vol. I. 713.

† Lee, Life of James, from his MS. Memoirs, ann. 1656, 1657.

of Richard, but of the restored parliament, was received at the congress with all the honours due to the ambassador of a power of the highest rank. Charles was even refused permission to remain more than three days with his mother at the small town of Colombe. He returned to Brussels in a state which must have appeared to him to be utterly hopeless.

The mission of sir John Grenville instantaneously changed the aspect of his affairs. Acting on the advice of Monk, he immediately left Brussels and the Spanish territories for Breda, where he waited an invitation to return to England. His only confidants were Ormond and Hyde.*

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The elections meanwhile were proceeding in England. Influence, intrigue, and money, were never in greater activity to decide the returns. The general leaning was to presbyterians and moderates. Several cavaliers were elected, in the face of their disqualification, by vote of the late parliament, passed with the advice of Monk. The electors manifested a general disinclination to republicans. The restoration of the king was the subject of private conversation and secret conference. Monk alone appeared indisposed or doubtful. He went far beyond the leading presbyterians, as Northumberland, Manchester, Holles, and Pierrepont, in the jealous limitations by which he would secure the public liberty † — and this at the very time when he had already pledged himself to Charles that he should be placed on the throne without limitation or condition. — “On the 9th of August, 1660,” says his confidential chaplain and agent, “the general despatched away Mr. Bernard Grenville to his majesty with his humble letters, acknowledging his duty and allegiance; and returning his most humble thanks to his majesty for entertaining so good an opinion of him, and reposing so great and absolute a trust in him; and his assurance that he would certainly restore his majesty; and that, with the hazard of his life, he would do it without any previous conditions; he being

* Carte's Letters.

† Clar. Hist. vii. 440. State Papers, iii. 680. 705. 729.

such an adorer of majesty, that he would not endure to see it shackled with any limitations or exceptions whatsoever; so that he should return a free and absolute monarch to his ancient kingdoms." *

Monk, doubtless, sported thus recklessly with his vows to God, his faith to men, and his duty to his country, not from his adoration of majesty, but from a selfish and absorbing view of his own sordid ambition and interest.

Meanwhile a weak and transient alarm was given to Monk and the presbyterians. Lambert, a prisoner in the Tower, contrived to escape, and place himself at the head of the army and the republicans. But the former was disorganised as well as discontented; the latter seemed to despair of safety or resistance.† Accordingly Lambert, with his courage and activity, had collected only four troops of horse when he was overtaken, overpowered, and made prisoner with Okey, Axtel, and Creed, by Ingoldsby. This was the last effort of the expiring commonwealth. Fleetwood, Desborough, Ludlow, Vane, Haslerig, Scot, Rich, and other chiefs of the army and the commonwealth disappeared from the scene. Sir John Grenville returned from Breda with confidential despatches and the commission of the king's lieutenant-general for Monk; and the convention parliament met on the 25th of April.

The house of commons elected for its speaker sir Harbottle Grimstone, an excluded member and a pres-

* Gumble's Life of Monk.

† "In the meantime," says Ludlow, (ii. 865, 866.), a considerable party of those that had been engaged against the king resolved to raise a sum of money to pay such troops as should be willing to draw together against Monk and his partisans. . . . Mr. Slingsby Bethel was employed by the most eminent persons concerned in this design, to communicate their resolutions to sir Arthur Haslerig, whom he attended at his lodgings to that purpose, and found him in a most melancholy posture, sitting in a chair, leaning his head upon both his hands. Mr. Bethel asked him the reason of his trouble, and received for answer, that having been with Monk that morning, and pressing him to give him some assurance of his care of the commonwealth, reminding him of his oaths and protestations of fidelity to the cause, Monk had treated him in an unusual manner, and demanded how he could expect any thing from him whom he had endeavoured to make less than before he marched to London. Sir Arthur added to the rest of his discourse, "We are undone! we are undone!" . . . Mr. Scot also informed me that he had lost all hopes," &c. &c.

byterian, who had openly suggested the recall of Charles in the late parliament.* He was proposed by Pierrepont, and conducted to the chair by Holles and Monk. The royalists, who remained prudently quiet whilst their work was more effectually executed by the presbyterians, became bold and assuming now that they saw their victory achieved, and manœuvred against the election of presbyterians where cavaliers could be obtained.†

This did not open the eyes of the latter to what they and the nation were to expect from an unconditional restoration.

The house of lords met at the same time, in the usual manner, appointed the earl of Manchester provisional speaker, confirmed the appointment of general Monk as captain-general by the late house of commons, and voted a day of fasting and humiliation, to seek God for his blessing upon the approaching settlement. Ten peers only assembled, but circular letters were immediately issued for the attendance of other lords. Some distinction was at first made with respect to the disqualification by bearing arms against the parliament in the civil war, but this presbyterian reminiscence of the long parliament and the civil war soon vanished before the reflux of loyalty. The lords now first assembled after eleven years' sequestration, and desired a conference with the commons: it was arranged to take place on the 1st of May. The object of the conference was doubtless to settle the limitations which should be imposed on the king. The house of commons adjourned over to that day.

Monk was alarmed; he threw aside the mask which he had not even yet wholly removed, took advantage of the adjournment to defeat the intended limitations, and secured his equivocal if not infamous honours, by bringing back Charles, “a free and absolute monarch, to his ancient kingdoms.” Sir John Grenville, by his direction, presented to him the king's letters whilst he was sitting in the council of

* See Hallam, Const. Hist. ii. 387. *et seq.* (note.)

† Clar. State Papers, iii. 734.

state; a mock investigation took place; and Grenville, having avowed that he received the letters from the king's own hand at Breda, was released from custody upon Monk's undertaking for his appearance, if required, before the parliament.

The commons resumed their sittings on the 1st of May, with the purpose of holding the momentous conference with the lords at eight in the afternoon. But the speaker had no sooner taken the chair, than the arrival of a messenger with letters from "the king," was reported to the house from the council of state. Charles, thus designated, was already acknowledged and restored. Two letters, the one addressed to the speaker, the other to Monk, were then read: they contained little more than vague generalities, and an expression of the king's desire to leave the settlement of the nation to his two houses of parliament. The letter to the speaker contained a document historically of great importance and interest—"The declaration of Breda," sent over by Charles on the suggestion of Monk. As this document was the only safeguard taken by this base parliament from the king against the triumphant furies of tyranny and vengeance, it may be advisable to cite the chief pledges which it contained. These were, indemnity and oblivion for the past, liberty of conscience for the future. They are set forth as follows:—

"And to the end that fear of punishment may not engage any, conscious to themselves of what is past, to a perseverance in guilt for the future, by opposing the quiet and happiness to their country, in the restoration both of king, and peers, and people, to their just, ancient, and fundamental rights; we do by these presents declare, that we do grant a free and general pardon, which we are ready, upon demand, to pass under our great seal of England, to all our subjects of what degree or quality soever, who, within forty days after the publishing hereof, shall lay hold upon this our grace and favour, and shall by any public act declare their doing so, and that they return to the loyalty and obedience of

good subjects, excepting only such persons as shall hereafter be excepted by parliament. Those only excepted, let all our subjects, how faulty soever, rely upon the word of a king, solemnly given by this present declaration, That no crime whatsoever committed against us, or our royal family, before the publication of this, shall ever rise in judgment or be brought in question against any of them, either in their lives, liberties, or estates, or (as far forth as lies in our power) so much as to the prejudice of their reputations, by any reproach or terms of distinction from the rest of our best subjects; we desiring and ordaining, that, henceforward, all notes of discord, separation, and difference of parties, be utterly abolished among all our subjects; whom we invite and conjure to a perfect union among themselves, under our protection, for the resettlement of our just rights and theirs, in a FREE parliament; by which, upon the word of a king, we will be ADVISED. And because the passion and uncharitableness of the times have produced several opinions in RELIGION, by which men are engaged in parties and animosities against each other, which, when they shall hereafter unite in a freedom of conversation, will be composed or better understood, we do declare a liberty to tender consciences; and that no man shall be disquieted, or called in question, for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as, upon mature deliberation, shall be offered unto us, for the full granting that indulgence."

It will be right to bear in mind the above assurances, whilst going over the delirious inhumanity with which victims were sacrificed to the manes of his father in the first year of his restoration, or, as it is termed, the twelfth year of his reign, and the rigour with which religious conformity was soon after enforced upon dissentient consciences.

Similar communications were made to the house of lords. Both houses, in an ecstasy of joy, came to a

resolution, “that, according to the ancient and fundamental laws of this kingdom, the government is and ought to be by king, lords, and commons,” and prepared answers to the letters of the king. One voice alone was raised in the house of commons against the acknowledgment of Charles II. without some security for the nation in its laws and liberties—it was that of sir Matthew Hale. Monk interposed with the declaration, that from the actual temper of the army and the republicans he could not answer for the public peace if any delay were interposed. “What,” said this consummate dissembler, “have you to fear from a prince who has neither wealth to corrupt nor an army to enslave you?” Accordingly Charles II. was proclaimed, and commissioners appointed to wait upon him at Breda.

The last vestige of the commonwealth was now swept away; but the conquests which it achieved over tyranny, spiritual and temporal,—the great principles which it launched, and vindicated in the senate and in the field,—the virtues and the genius which it called forth, must live in the memory of Englishmen until they shall have lost their character, their liberty, and their language of freemen. It would be irrelevant and most idle to touch, even in the abstract, the antagonist principles of government, by a republic and by a monarchy, which produced and animated the strife of that day; but the assertion that the experience of the memorable period in question proves the impossibility of republican freedom in England can be denied as utterly unfounded. Some evidence of its falsehood may be collected from the preceding pages. It would be strange, indeed, if a nation of spirits the most unfettered, free, and daring, were unqualified or disqualified for that form of self-government under which so many communities have flourished in all the uses and arts of life; from the republican states of Greece, Carthage, and Rome, to those of Italy in the middle ages, the Dutch provinces, and the United States. The admission may at the same time be made, that monarchy seems hitherto the form

most congenial to the English people ; and that it is likely to continue so—until social interests and the social mind shall appear under a new phase. Whether such a phase will present itself, and how much sooner or how much later, are questions which, however tempting and curious, would here be out of place.

Even the causes of the failure and fall of the commonwealth cannot be examined consistently with the compass and design of these pages : the more prominent only may be touched in passing.

Religious passion and enthusiasm were too much blended with the great revolution of that day. Religion is a strong and stirring motive to generous suffering and great action ; but whilst its sympathies consolidate a sect, a party, or a faction, its antipathies dissociate the community, and, consequently, the frame and fabric of political government. The only ground into which a political system can strike its roots is to be sought in the universal reason and universal sentiments of mankind. Curtius was a fanatic when he leaped (if he did leap) into the gulf ; but his was the fanaticism of a citizen — a patriot ; not that of an anabaptist, a millenarian, or a covenanter. The chief leaders of the revolution of 1648 were fully on a level with the principles of republican freedom, but they were too much in advance of the national intellect. When religious and republican enthusiasm is called the spirit of the age, it should be understood only of fractions or sections of the community, and individual minds. The public mind was untaught, or rather mistaught, for a free commonwealth without kingship or a peerage. It has been already charged as a reproach upon the founders of the commonwealth, that they adopted no enlarged system of popular education, and municipal institutions and government, which should counteract or correct this state of the public mind. There is another cause of the instability of the fabric raised by their hands, which does honour to their character. They did not render their adversaries powerless, by reducing them to poverty and

contempt ; they did not confiscate property by wholesale, in order to create a host of national proprietors marshalled by the most powerful of all motives, — their possession of property — to serve as the pretorian bands of the new system. Still less did they weaken their enemies by exile and the scaffold. This observation applies only to Britain. In Ireland the opposite course was pursued : there the adverse mass was reduced to unresisting weakness by fire, sword, expatriation, and forfeiture ; and the consequence was that there the men, though not the principles of the commonwealth, survived the restoration. Such is the melancholy, disheartening policy of revolutions. These causes of the failure of the commonwealth were all transient, and accidents of the age. The experiment of republican government in England is, therefore, yet untried.

CHAP. VIII.

1660, 1661.

RECALL OF CHARLES II. — HIS ENTRY INTO LONDON. — HE IS ADDRESSED BY THE SPEAKERS OF BOTH HOUSES. — ACT OF INDEMNITY AND OTHER PROCEEDINGS. — SETTLEMENT OF RELIGION. — THE KING'S DECLARATION. — DISBANDING OF THE ARMY. — TRIAL AND EXECUTION OF THE REGICIDES. — DISSOLUTION OF THE CONVENTION PARLIAMENT. — AFFAIRS OF IRELAND. — AFFAIRS OF SCOTLAND. — TRIAL AND EXECUTION OF ARGYLE. — ROYAL MARRIAGES — AND DEATHS. — INSURRECTION OF FIFTH MONARCHY MEN. — RELIGIOUS PERSECUTION. — THE ELECTIONS.

THE convention parliament having voted that Charles II. should be proclaimed, sent a deputation of twelve members to wait on him at Breda, and invite him to ascend the throne of his ancestors, without any limitation of his power, or security for his good government. This proceeding has found an apologist in a distinguished living writer. “Between a king of England and his subjects,” says Mr. Hallam, “no treaty, as such, could be binding: there was no possibility of entering into stipulations with Charles, though in exile, to which a court of justice would pay the slightest attention, except by means of acts of parliament.”* Where was the difficulty of sending over propositions for his acceptance, as proposed by Hale, and converting them into bills? Supposing this not done, was there not remaining that last appeal between a free people and their sovereign, — the appeal to Heaven, their virtue, and their right? He suggests that the perfidy of the king, and the brain fever of loyalty which appeared to

* Const. Hist. ii. 400. *et seq.*

seize the nation, would have rendered such labours nugatory. But the convention parliament should still have done its duty, and let the blame fall upon the proper quarter. Where the motives were base, the proceeding could not be praiseworthy. In the convention, according to Ludlow, men dared not show virtue, foresight, or moderation, lest it should be called disaffection to the king. Monk acted as a spy upon the members ; and those who would impose limitations dared not express it, from their terror of Monk's denunciation, and Charles's vengeance.* The constitutional historian of England palliates the conduct of Monk. The character of that person is expressed by another and an eminent hand, that of Mr. Fox, in more frank and striking traits. The army, according to that statesman, had fallen into the hands of one than whom a baser could not be found in its lowest ranks ; whose only virtue was personal courage ; whose whole stock of wisdom was reserve and dissimulation ; who made no scruple to lay the nation prostrate at the feet of a monarch, without a single provision in favour of the cause to which he owed his rank, reputation, and station.†

Charles meanwhile was already enjoying at Breda his change of fortune. At first it appeared incredible to foreign courts. The courts of Spain and Brussels, in particular, were incredulous, even after the return of sir John Grenville with the engagements of Monk. Charles would not otherwise have been permitted to pass from Brussels to Breda. The marquis of Caracena, Spanish governor of Flanders, convinced at last of the counter-revolution in England, tried to inveigle him back into Flanders. He saw and avoided the snare.‡

* Ludlow's Mem. iii. 10, 11.

† Frag. of Hist., Introd. xx. xxi. Mr. Hallam refers to entries on the Journals, of measures of security to prove it " far from being true that the convention gave itself up to a blind confidence in the king," or " that the restoration was carried forward with so thoughtless a precipitancy as has been asserted." But such of those measures as were not absolutely trivial were merely begun ; and the traces of them on the Journals only prove that they were abandoned through fear of Monk, or some other motive not less unworthy.

‡ Life of James, &c. i. 381.

The delusion of foreign and despotic courts respecting the stability of the commonwealth was natural : they judged the form of government by the vigour of the administration, and could not estimate the effects of public opinion and popular passion in England. The mistake, so described, of Lockhart, ambassador from the commonwealth in France, has been thought more extraordinary : he rejected overtures made to him by Charles after the return of sir John Grenville, alleging as his reason his duty to the government of which he was appointed the representative. His real motive is stated to have been doubt of a counter-revolution. But Lockhart may be supposed to have only played a safe game : he had provoked no vengeance, and had no public crime—or public virtue—to atone for by treachery ; and he possibly knew that his abilities (as it proved) would soon obtain him a public appointment under the restoration.

The recall of Charles, however, was no sooner past doubt, than embassies of congratulation and offers of service crowded round him and his little court at Breda. France, Spain, and the states of Holland, vied with each other in their professions of joy at his restoration. He was also surrounded or assailed by a miscellaneous crowd of individuals from England — presbyterian ministers, to prefer their services to his father and himself ; church of England divines, to plead their sufferings ; Roman catholics, to solicit a toleration ; political partisans, who were in a situation to require pardon, or to expect preferment. Most of those parties sought to prove their merit and obtain their ends, by secret offers of money to the king. The venal spirit of the restoration, and the personal corruption of Charles and his court, began thus early.

Eighteen commissioners, of whom six were peers, the remainder commoners *, left London for Breda on the 18th of May. Admiral Montague, who commanded the

* The commissioners were, Lords Oxford, Warwick, Middlesex, Hereford, Berkley, Brook, Herbert, Mandeville, Bruce, Castleton, Falkland, and Fairfax ; Denzil Holles, sir Horatio Townshend, sir John Holland, sir Anthony Ashley Cooper, sir George Booth, and sir Henry Chomley.

fleet, was ordered to proceed to Holland, and place his squadron at the king's disposal for his return. Holles addressed Charles as the organ of the commissioners, the two houses, and the three kingdoms. This presbyterian, who had taken so prominent a part in the long parliament and the civil war, now relapsed into the gross incense and servile exaggerations of the style and strain in which courtiers and parliaments were accustomed to address king James. "Dread sovereign," said he, "your faithful subjects the commons of England have sent us hither, twelve of their number, and we are here prostrate at your royal feet, where themselves are all of them here present with us in the sincere affection and desires of their hearts." He then proceeds to say, that the hearts of all were filled with veneration for him, confidence in him, longings for him; that all degrees, ages, and sexes, high and low, rich and poor, men, women, and children, joined in sending up to Heaven one prayer, "God bless king Charles!" "Long live king Charles!" so that the English air was not susceptible of any other sound, and echoed nothing else; that bells, bonfires, peals of ordnance, volleys of shot, shouts and acclamations of the people, bore no other moral; that his majesty could not imagine, and no one could conceive, without witnessing, with what joy, what cheerfulness, what lettings out of the soul, what expressions of transported minds, a stupendous concourse of people attended the proclamation of his majesty to be their most potent, mighty, and undoubted king.* Such were the rhetorical and servile puerilities with which Charles was addressed, upon an occasion demanding, beyond all others, calm dignity and sober sense.

Charles, on the 23d of May, embarked at Schevelin, on board Montague's ship, with his brothers the dukes of York and Gloucester, arrived at Dover on the 25th, and made his entry into London on the 29th, his birthday. Monk received him as he landed on the beach at Dover, was embraced by him, and acted as his escort

* Parl. Hist. iv. 36, 37.

nearest to his person until he reached Whitehall. The multitudes which gathered round him seemed drunk with joy.* He asked where were his enemies ; and said it must have been his own fault that he had not sooner returned. It would be unreasonable to expect truth in a complimentary antithesis, and there was doubtless an extraordinary and universal show of popular exultation. But Charles had still enemies in the land ; and this is one of the cases in which the non-existent and non-apparent should not be confounded.

The king, however, had not proceeded farther than Canterbury, when he complained that his new royalty, with its pomps and joys, brought with it also its disgusts. Cavaliers began to importune him for rewards, and urged the sacrifices made, or services performed, by their fathers or themselves, with, according to Clarendon, “ such indecency and incongruity,” that he was “ nauseated with their suits,” and could scarcely endure their presence ever after.† His second cause of disgust proceeded from his restorer, general Monk. That person came to his

* Two eminent persons of adverse opinions and feelings have recorded their impressions as eye-witnesses — the royalist Evelyn and the republican Ludlow. The contrast is interesting.

“ 29 (May) 1660. This day his majy Charles the Second came to London, after a sad and long exile and calamitous suffering, both of the king and church, being 17 yeares. This was also his birth-day, and with a triumph of above 3,000 horse and foote, brandishing their swords, and shouting with inexpressible joy ; the wayes strew’d with flowers, the bells ringing, the streetes hung with tapissry, fountaines running with wine ; the maior, aldermen, and all the companies in their liveries, chaines of gold, and banners ; lords and nobles clad in cloth of silver, gold, and velvet ; the windowes and balconies all set with ladies ; trumpets, music, myriads of people flocking, even so far as from Rochester, so as they were seven houres in passing the city, even from 2 in ye afternoone till 9 at night.” — *Diary of John Evelyn*, i. 309, 310.

“ Most of those (says Ludlow) who had attended this entry, finding the streets through which they had passed to be full of people, returned to the city by way of Holborn, by which means I had a view of them from the house where I then was. And, I confess, it was a strange sight to me, to see the horse that had formerly belonged to our army, now put upon an employment so different from that which they had at first undertaken ; especially when I consider’d that for the most part they had not been raised out of the meanest of the people, and without distinction, as other armies had been ; but that they consisted of such as had engaged themselves from a spirit of liberty in the defence of their rights and religion ; but having been corrupted under the tyranny of Cromwell, and kept up as a standing force against the people, they had forgotten their first engagements, and were become as mercenary as other troops are accustomed to be.” — *Mem. ii. 20, 21.*

† Clarendon’s Life.

chamber, and, without apology or preamble, placed in his hands a list of about seventy persons whom he recommended as most proper to be appointed privy counsellors. Charles, without looking at the paper, put it into his pocket, and took the first occasion of placing it in the hands of Hyde, his principal adviser and chancellor. The names in the list were chiefly those of presbyterians who had opposed the late king both in the parliament and the field up to the ascendency of the independents ; "and the king," says Clarendon, "in more than ordinary confusion, knew not what to think of the person in whose absolute power he now was." Monk, however, upon being referred to, set his mind at ease. He said the truth was, that he had been obliged to have much communication with men of all humours and inclinations ; that he had promised to do them good offices with the king, and that he did so in fulfilment of his promise : he had put their names in the list without imagining for a moment that they would be accepted by the king. Were this trait of Monk's duplicity and the king's prejudice known to the presbyterian leaders at the time, they would doubtless have been less forward in their confidence and zeal.

It is perhaps worth remarking, that on the 29th of May, the very day on which the king had made his entry into London, a bill for confirming the privileges of parliament, Magna Charta, the petition of rights, and other important statutes, was brought into the house of commons, read a first and second time, and committed. The journals contain no further notice of this bill. The next entry is the adjournment of the commons to attend the king for the first time, by his orders, in the banqueting-room at Whitehall. It would be curious and interesting to learn under what influences this remarkable bill was thus abruptly introduced and abandoned ; but, in the absence of any data hitherto before the world, it would be a matter of but vague conjecture.

The king was successively addressed by the respective speakers of the two houses — the earl of Manchester and

sir Harbottle Grimstone — in terms of boundless loyalty to his person and admiration of his virtues.

“Dread sovereign !” says the earl of Manchester, “I offer no flattering titles, but speak the words of truth : you are the desire of three kingdoms, the strength and stay of the tribes of the people, for the moderating of extremities, the reconciling of differences, the satisfying of all interests, and for the restoring of the collapsed honour of these nations. Their eyes are toward your majesty ; their tongues, with loud acclamations of joy, speak the thoughts and loyal intentions of their hearts ; their hands are lifted up to heaven with prayers and praises : and what oral triumph can equal this your pomp and glory ?

“Long may your majesty live and reign, a support to your friends, a terror to your enemies, an honour to your nation, and an example to kings, of piety, justice, prudence, and power ; that this prophetic expression may be verified in your majesty, ‘King Charles the Second shall be greater than ever was the greatest of that name.’”

“Most royal sovereign,” says sir Harbottle Grimstone, “I have yet a few words more ; and to doubt your patience, who is the mirror of patience, were to commit a crime unpardonable, and fit to be excepted out of the act of oblivion which your majesty hath so graciously tendered unto your people : therefore, with an humble confidence, I shall presume to acquaint your majesty that I have it further in command to present to you, at this time, a petition of right, and humbly on my bended knees do beg your assent thereunto. Sir, it hath already passed two great houses — *heaven* and *earth* — and I have *vox populi* and *vox Dei* to warrant this bold demand. It is, that your majesty would be pleased to remove your throne of state, and set it up in the hearts of your people ; and as you are deservedly the king of hearts, there to receive from your people a crown of hearts.”

Charles replied to them in their turns, very briefly,

and substantially in the same terms. To the lords he said :—“ I am so disordered by my journey, and the noise still sounding in my ears (which I confess was pleasing), that I am unfit at present to make such a reply as I desire.”—To the commons:—“ I shall not trouble you with many words, for really I am so weary that I am scarce able to speak :”—and to both he gave an assurance, that, next to the honour of God, he should study the welfare of his people. In these and the other speeches and expressions recorded as having been uttered by him at the time, there is much of that graceful and engaging familiarity of tone, which varnished his character and was so useful to him.

The king’s first measure was to appoint¹ his privy council and the great officers of state. In both instances he seems to have been guided as much by policy as by his personal wishes. Cavaliers and presbyterians were selected in nearly equal numbers. The privy council was composed of the duke of York, marquis of Ormond, earl of Lindsey, earl of Southampton, lord Say and Sele, lord Seymour, sir Frederick Cornwallis, sir George Carteret, colonel Charles Howard, general Monk, earl of Manchester, earl of St. Albans, lord Culpeper, Mr. Arthur Annesley, sir William Morrice, the lord chancellor, marquis of Dorchester, earl of Berkshire, earl of Norwich, lord Wentworth, Mr. Denzil Holles, sir Edward Nicholas, sir Anthony Ashley Cooper, the duke of Gloucester, marquis of Hertford, earl of Northumberland, earl of Leicester, lord Roberts, lord Berkley, general Montagu (admiral of the fleet).

The great officers of state were, the duke of York, invested with the office of lord high admiral of England, and lord warden of the Cinque Ports ; the lord general Monk, continued captain-general of all the forces of the three kingdoms, and made master of the horse ; sir Edward Hyde (Clarendon), lord high chancellor ; the earl of Southampton, lord high treasurer ; sir Edward Nicholas and sir William Morrice, chief secretaries of state ; the marquis of Ormond, lord steward ; the earl

of Manchester, lord chamberlain. The king's bosom counsellors, if that term may be applied in the case of one who did not believe in virtue, and therefore could not frankly confide, were Hyde and Ormond, who attended him in his exile ; Southampton, who remained in England to promote his cause ; and the earl of Bristol, better known as the eccentric lord Digby, who was not even a privy councillor, but influenced the king as a favourite, and was the enemy of Hyde. This extraordinary person, among his eccentricities, had become a catholic abroad, and thus became disqualified for office in England. His catholicism, however, was of a peculiar fashion, which rendered him doubly odious as a schismatic at Rome, and as a papist in England. The influence of Annesley, Cooper, Holles, Manchester, and even Monk, was considerable in the king's counsels ; but subordinate to those above named, and doubtless owing to their authority with the presbyterians, who were still to be managed. Charles further appointed Baxter and Calamy his chaplains ; and, to gratify the presbyterians still more, issued a proclamation against vice, debauchery, and profaneness.

The first act of the two houses, after the restoration, was to declare, by bill, the long parliament fully dissolved and determined ; and the lords and commons then sitting, the two houses of parliament ; in other words, to constitute that a parliament, which was hitherto a convention — with the proviso, that the session should not determine with the king's assent to the bill. From this proviso it would appear that the parliament had some suspicion of the king's intending to get rid of it by a premature dissolution.

The next grand measure was the memorable and mis-called act of oblivion and indemnity. It was, in truth, an act for expiating, by blood, the execution of the late king. Charles, it has been observed, promised mercy and oblivion with the pomp of phrases and a perfidious reservation of the discretion of parliament. The lords, with their royalist majority, would be expected, not

without reason, to take up this subject in a vindictive and sanguinary temper. A step taken by the commons soon showed that moderation was scarcely to be expected, even from them. They resolved to proceed in a body, with the speaker at their head, to Whitehall, and claim, for the nation and themselves, his majesty's most gracious pardon for their share in the horrid guilt of the late unnatural rebellion. Many of the parties to this vote were presbyterians, who had drawn the sword in the field against the late king. There was as much of gross folly as of pusillanimity and meanness in thus abjuring whatever they could boast of reputation and virtue. Their chief, Holles, appears to have taken the lead in it. They, however, affected to draw a broad line between those who bore arms against Charles I., and those who were parties to his execution. Lenthall, son of the speaker of the long parliament, and a member of the house, took occasion to say, that "he who first drew his sword against the late king, committed as great an offence as he that cut off his head." His object, doubtless, and the bearing of his assertion, was to protect the regicides: but the presbyterians were resolved to earn their own pardon by sacrificing the republicans; and Lenthall was severely reprimanded for using language so injurious to proceedings of both houses up to 1648.*

The presbyterians, between shame and prudence, approached the bill of "indemnity and oblivion," with a disposition to restrict the vengeance of the cavaliers and the king to what may be termed a moderate sacrifice of blood. They excepted from the proposed indemnity, seven of the late king's judges, — Harrison, Say, Jones, Scott, Holland, Lisle, and Barkstead; Cook, solicitor; Broughton, clerk; and Dendy, sergeant at arms to the high court of justice. Charles, at the same time, issued a proclamation, commanding all those who participated in "the murder" of his father to render themselves up within fourteen days, on pain of

* Parl. Hist. iv. 42.

exception from pardon for their estates and lives. Nineteen of the persons in this predicament rendered themselves accordingly ; whilst nineteen others, suspecting latent perfidy, concealed themselves or fled. Among the latter was Ludlow. A friend who was in favour at court, and is supposed to be Morris, the confidant of Monk, warned him of his danger, and told him that if he remained he was “a lost man.”*

The exception of ten persons, thus expressly named, had the chief share in deciding the other persons compromised to surrender themselves under the king’s proclamation. They soon had proof of their error, but not yet to its full and fatal extent. The house of commons, influenced or instigated by the court, came to a resolution that, besides the exceptions already made “for estate and life,” twenty persons should be excepted from pardon with respect to all pains and penalties short of death.† Finally, they excepted such as had not complied with the king’s proclamation. The bill, thus passed by the commons, was sent up to the house of lords.

It was not difficult to anticipate the temper in which the suggestion of pardon and oblivion would be received in that house. The cavaliers were now the majority ; and they began with a vote consistent enough with the wild justice of savage life, but shocking to every notion of civilised jurisprudence. For every lord who had been executed during the civil war and the commonwealth, they allowed his next of kin to choose for sacrifice one of the king’s judges. Four lords had been executed—Hamilton, Capel, Holland, and Derby. The representatives of the three last, named Croxton, Tichbourne, and Waring ; but lord Denbigh, brother-in-law of Hamilton, humanely fixed upon the name of

* Mem. iii. 50, 51.

† Kennet’s Reg. p. 127. The resolution is worded as follows :—“ Resolved, That *no more* than twenty, besides such as are already excepted, or who *sate* as judges upon the late king, shall be excepted out of the general act of pardon and oblivion, to suffer such penalties and forfeitures, not extending to life, as shall be thought fit to be inflicted on them, by an act to pass for that purpose.”

one of the king's judges who was dead, and refused to name another when his supposed mistake was brought under his notice.*

The exceptions of the commons were far short of the views or passions of the lords: they disdained the mitigating scale, which made a greater and lesser class of criminals: they voted that all the king's judges, and six persons more — namely, Hacker, Haslerig, Ax-tell, Lambert, Vane, and Peters — should be excepted, as capital traitors, from the act of indemnity; and they repudiated any distinction between those who did, and those who did not, come in under the proclamation. Charles, impatient for a supply, came down to the house of peers, and urged them not only to expedite the passing of the bill, but to limit their exceptions to the immediate "murderers" of his father. This breach of privilege, in thus taking cognisance of a pending bill, passed without notice.† The lords, rejoined that none of the king's judges should be spared. They at the same time desired a conference with the commons.

It would appear that the commons acquiesced in the extension of the list of capital exceptions made by the lords, and other changes of a sanguinary nature in the bill; but they contended for the distinction in favour of those who had complied with the proclamation. Lord Southampton, a man whose decorous character

* Ludlow, iii. 34.

† "Divers messages were sent from Whitehall by Hyde and others to the lords, for the dispatch of the bill; but meeting with little success, by reason of many obstructions that were continually laid in the way, the king came in person to the house, and pressed them to expedition, thanking the lords for excepting those who had been the judges of the king his father; who, he said, were guilty of such a crime, that they could not pardon themselves, much less expect it from others. By which he not only manifested his own revengeful temper, and the little regard he had to the promise he had made in his proclamation from Breda, to refer himself wholly to the parliament for pardoning what had been done during the late troubles; but his imprudence in this so early violation of the privileges of the parliament, by taking notice of what was depending in the two houses, before it came to be judicially presented to him; and by that means fomenting a division between them concerning an affair in which he himself was principally interested. He told them, other ways might be found to meet with those who were of turbulent and factious spirits; insinuating, if I mistake not, that his intentions were not to be guided by the direction of the laws, but that he had some secret reserves to render the act of indemnity insignificant."—Ludlow, Mem. iii. 38, 39.

among the courtiers of that age passed for virtue, proposed that, as they had been allowed six days to come in, the same time should be allowed them for their escape. This was over-ruled by Finch ; who had himself fled from justice and the scaffold, by the connivance, it was supposed, of the leaders of the long parliament. The commons had the meanness to yield up the king's honour and their own to the vengeance of the lords, and the bill passed as it was altered by the latter.

Vane and Lambert were placed in the list of capital exceptions ; but with a joint petition of both houses to the king, that, if found guilty, their lives should be spared. Lenthall, placed by the commons in the second class, was excepted by the lords for estate and life. His crime was, presiding as speaker when the ordinance for the king's trial was passed. His intrigues with the royalists, his timid share in the restoration, his offer of 3000*l.* to Charles before he left Breda, as a bribe for his pardon and the rolls, were not a sufficient atonement. Haslerig escaped on a division of 141 to 116. Monk, who had duped him so egregiously, is said to have saved his life. Whitelock, a sort of latitudinarian sectary both in politics and religion, escaped with difficulty the resentment of the presbyterians and the inveterate bigotry of Prynne. That person proposed also to except Richard Cromwell ; but, to the honour of the house, found nobody to second him.* He would fasten his fangs and his fury upon the fallen republicans on every side. "I am," said he, "for excepting all ; and if you are not so, you become guilty of the king's blood."† Such was the spirit of the more violent presbyterians in the convention. That of the cavaliers may be judged by sir Heneage Finch, the solicitor-general. "Is it better," said he, "to venture the shipwreck of the vessel, than throw a few overboard ? If you spare their lives, *you cannot take an acre of their lands.* It is for the safety of the land to throw Sheba's head over the wall."‡

* Parl. Hist. iv. 74.

† Ibid. 100.

‡ Ibid.

An immortal name was at the same time brought into question,—that of John Milton. He was called to account for his “ Defence of the English People” and his “ Iconoclastes,” committed to the custody of the serjeant-at-arms, and kept prisoner to the following 17th of December. His friend Andrew Marvell complained that the serjeant had extorted from him a large sum under the name of fees. Two other members — colonel Shapcot and colonel King — also demanded justice for him. Sir Heneage Finch replied, that he had been Latin secretary to Cromwell, and deserved to be hanged. His case was referred to one of the standing committees of the house.

Charles was advised, before he left Holland, to trust the parliament with his vengeance : he acted upon this counsel in his declaration from Breda, and had no reason to repent it. There were excepted from pardon by the bill of indemnity, as it finally passed, nineteen who saved themselves by flight, seven who were admitted to mercy through corrupt influence, and twenty-nine who were brought to trial as traitors.*

It was not from vindictive temper or loyal zeal that the majority of the house of commons voted this sanguinary proscription : they but basely lent themselves to the passions of the court ; some through fear of being suspected of disaffection, others for the advancement of their ambition and interest. The most prominent among the latter are sir Anthony Ashley Cooper and general Monk. Cooper, like Monk, professed the utmost zeal for the commonwealth, at the very moment when he was plotting the restoration. “ When,” says the widow of colonel Hutchinson, “ it became too apparent which way Monk inclined, the colonel, upon the confidence of his friendship, entreated him to tell him what were Monk’s intentions, that he and others might consider their safety, who were likely to be given up as a public sacrifice.

* This blood offering, liberal as it was, did not satisfy the royalists ; — they called it “ a bill of indemnity for the king’s enemies, and of oblivion for his friends.”

Cooper denied to the death any intention besides a commonwealth: ‘But,’ said he, with the greatest semblance of reality that can be put on, ‘if the violence of the people should bring the king upon us, let me be damned, body and soul, if I see a hair of any man’s head touched, or a penny of any man’s estate, upon this quarrel.’ He was yet,” she continues, “so vile a wretch as to sit and sentence some of those that died; and, although this man joined with those who laboured his particular deliverance, yet the colonel, to his dying day, abhorred the mention of his name, and held him for a more execrable traitor than Monk himself.”* Monk expressed himself with no less vehemence in a conversation on the same subject with lord Say. The latter proposed to him, for the quieting of men’s minds, that an indemnity should be passed, with only some few exceptions. He replied, vehemently, “Not a man; if I should suffer such a thing I should be the arrantest rogue that ever lived.”† He not only suffered, but shared in, what he so emphatically abjured; became, on his own admission, “the arrantest rogue that ever lived;” and was created duke of Albemarle, with pensions and places enough to satisfy his ruling passion — the love of gold.

Several other bills were proceeding through parliament concurrently with that of indemnity. The duty of tonnage and poundage, which his father claimed by prerogative, and his parliaments would allow him only as a grant in supply, and from year to year, was voted to Charles for life; the excise, an impost which began with the commonwealth, was voted only to the following 20th of August; and both received the royal assent on the 28th of July. The indemnity bill, with some others, among which were bills “for the confirmation of judicial proceedings,” “for preventing the taking excessive usury,” for a perpetual anniversary thanksgiving to be observed and kept on the 29th of May ‡, “for

* Mem. ii. 248, 249.

† Ludlow’s Mem. iii. 11.

‡ The following running commentary of the speaker in presenting those bills will best convey their intent:—

“Sir,—There is one bill now before you, intituled *An Act for the Con-*

a speedy provision of money to disband all the forces of the kingdom by land and sea," received at the same time the royal assent." *

The language in which the speaker addressed the king, supplies the evidence and the measure of the retrograde debasement of the commons of England in the convention parliament. Upon presenting the tonnage and poundage and excise bills for the royal assent, he tells the "sacred majesty" of his "dread sovereign," that it was never the course of parliaments to charge the people with payments until their liberties and grievances were first confirmed and redressed ; yet, out of the greatest trust and confidence that subjects ever had in a prince, the house of commons did then go out of its old way, and supplied his majesty's necessities with the greatest gift that ever prince of this country had given to him by his people. Addressing the king again

Firmation of Judicial Proceedings. The scope and intendment of that bill is to settle men's estates, which is the way to quiet their minds ; and when their minds are at rest, there will be no fears of their breaking the peace or forfeiting their good behaviour any more, in time to come.

"There is another bill, intituled *An Act to prevent the taking of excessive Usury.* The restraining men of avaricious minds, whose consciences are as large as their bags, will be a great ease to your people, and an inablement to your merchants the better to go on with their trades. They are the laborious bees that bring in honey into your majesty's hive ; and usurers are the wary, idle drones, that rob your hive of the honey.

"There is another bill, intituled *An Act for a perpetual Anniversary Thanksgiving to be observed and kept upon the 29th of May :* a day that God himself was pleased to honour and adorn with a new additional star never seen before nor since ; a star of rare aspect, which declared to all the world at once, the happy news of your majesty's blessed nativity : and as it was your majesty's birthday, so it was the day of your restoration to your kingdoms, parliament, and people : and likewise the day of your people's re-creation out of a chaos of confusion and misery. And therefore they humbly pray that not only we (for there would need no act for that so long as we live), but that our posterity, and the ages that shall succeed us, might for ever be obliged to set apart that day as a holy day, to dedicate their praises and thanksgivings up unto Almighty God for his miraculous deliverance of this poor nation, when it lay in dust and ashes, in a most miserable, desperate, forlorn, and deplorable condition."

* This provision was by a poll bill, in which every duke was rated 10*l.*, every marquis 8*l.*, every earl 6*l.*, a viscount 5*l.*, a baron 4*l.* Every one that could spend in lands, leases, money, or stock, 10*l.* per annum, 4*l.*, and so for a greater or lesser estate. Every single person, above the age of sixteen years, 12*d.* Every person not rated, nor receiving alms, above sixteen years, 6*d.*

The following entry appears in Evelyn's Diary : —

" 6. Oct. (1660.) I paid the greate tax of *poll money* levied for disbanding the army, till now kept up. I paid as an esquire 10*l.*, and one shilling for every servant in my house." L 313.

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on presenting the indemnity bill, he says, “ The great and most wise God conveyed divine intelligence to your patient and pious soul, and taught you, by suffering for us, to deliver us from our sufferings, to knock off our shackles, and set your people at liberty, when neither power nor policy could effect it.” After touching upon the other bills which waited the royal assent with the indemnity bill, he speaks of the last in the following terms : — “ There is another bill, intituled ‘ An Act of free and general Pardon, Indemnity, and Oblivion.’ It may well be called a free pardon, for your majesty was pleased to offer it before we had confidence enough to ask it, and at a time when your people had most need of it : and it may as truly be called a general pardon, in respect of the extensiveness of it. But looking over a long, black, prodigious, dismal roll and catalogue of malefactors, we there meet, not with men, but monsters, guilty of blood, precious blood, precious royal blood, never to be remembered without tears ; incomparable in all the kinds of villany that ever were acted by the worst of miscreants, pervertors of religion, subvertors of government, false to God, disloyal to the best of kings, and perfidious to their country ; and therefore we found an absolute and indispensable necessity incumbent upon us, to except and set some apart for treacle, to expel the poison of sin and rebellion out of others, and that they might be made sacrifices to appease God’s wrath, and satisfy divine justice.” There is a curious fidelity in the relapse of these commons of the restoration to the base taste in rhetoric and adulation which disgraced the parliament and the nation in the reign of James I. How different from the measured dignity and severe truth with which the first three parliaments of Charles I., the short parliament of 1641; and the memorable long parliament which began in that year, addressed the sovereign as the organs of the nation !

The reply of Charles is in a better taste. He declared that he willingly pardoned all that was pardoned by the indemnity act, but should henceforth use all rigour and se-

verity where sedition or “ dislike of the government” was shown in acts or speech. In reference to the disbanding of the army and navy he said, “ I do conjure you, as you love me, let me not hear the noise of free quarter, which will be imputed to my want of care and government, how innocent soever I am.” It was on this occasion that, in alluding to his pecuniary straits, he used one of those gracefully familiar and winning expressions which are recorded of him. “ I am,” said he, “ so confident of your affection, that I will not move you in any thing that merely relates to myself. And yet I must tell you, that I am not richer, that is, I have not so much money in my purse as when I came among you. The truth is, I have lived ever since on what I brought with me, which was indeed your money, for you sent it me, and I thank you for it,—but I am not able to keep a table in my house but that which I eat at myself,—and that which troubles me most is, to see so many of you come to me at Whitehall, and to think you must go somewhere else to seek your dinner.”

Steps had already been taken by the commons to provide the king a revenue. A committee on the subject reported that the revenue of the late king, from 1637 to 1641, averaged, not including ship-money, 900,000*l.* a year; that of the present king, in the year then current, 819,398*l.*, which they proposed to increase to 1,200,000*l.* a year, exclusive of the pole tax for the discharge of the army and navy. An adjournment was near, by express understanding between the king and the parliament, and the bills then pending for raising this revenue were allowed to stand over until after the recess.

Another and most important matter shared, with the indemnity and revenue, the attention of the king and the parliament. It was one upon which, indeed, the settlement of the nation, social and political, mainly depended — religion. The king, it has been observed, in his declaration from Breda, promised toleration to the sectaries. Before this question could be entertained, another was to be decided, viz. whether the established church was to

be presbyterian or episcopal. Presbyterianism was the national religion, from the abolition of prelacy to the restoration, but tempered by the tolerant genius of the commonwealth. Prelatists, and even catholics, enjoyed an open sufferance of their religious worship ; the various sectaries who constituted the miscellaneous mass of independency preached and prayed in the full freedom of the spirit as separate congregations ; the presbytery, in short, as an establishment, was limited to licensing and ordaining, with, however, another particular, which was preserved and cherished as a vital part of an established church, even by presbyterians — and in that most religious age,—the enjoyment of tithes and benefices. The abolition of advowsons and tithes had been urged strenuously by the republicans, religious and political, of the commonwealth ; but the spirit of the presbyterian priesthood, assisted by the power of Cromwell, who saw it his interest to conciliate the clergy, defeated their views. The presbyterians, who had the possession, would now tolerate prelacy, with some suggestions of modification, but had no toleration for sectaries : the episcopal church or clergy, having or claiming the right without the possession, would tolerate neither presbyterians nor sectaries. They, however, were not yet in a condition to speak out ; the services of the presbyterians were too recent, and they had too many friends in the parliament and privy council.

On the 9th of July, the settlement of religion was taken into consideration by a grand committee of the commons appointed for that purpose. It may be collected from the very scanty record of the debate, that a bill was pending.* The main question of dispute was the establishment of religion according to the thirty-nine articles. This was supported by several members as accordant with the Old and New Testament. Others proposed to refer the matter to a national synod. “In a late case at Westminster-hall,” said one of the latter members, “the judges sent for a falconer about a hawk,—

* Parl. Hist. iv. 80.

quilibet in arte suâ." The temper of the church of England and court party may be collected from an observation of sir Heneage Finch. He knew no law, he said, for altering the government of the church by bishops ; and as for "liberty for tender consciences, no man knew what it was." * The bishops were treated gently by their opponents, but no mercy was shown to deans and chapters. The latter were described by sir John Northcot as " doing nothing but eat, drink, and sleep, and rise up to play, or something worse." It was observed by several presbyterians, that episcopacy, as it stood, was " more boundless than monarchy ;" but that a moderate episcopacy, and such a reform of the liturgy as would render it consistent with the covenant, might be established.† The discussion appears to have been conducted with much heat through seven hours. Such was the excitement of the adverse parties towards the close, that the candles were twice lighted and put out ; and that it was not without difficulty they were lighted and kept lighting a third time, after the committee had sat an hour in the dark. The result was a vote " that the king should be petitioned to convene a select number of divines to treat concerning the matter, and that the committee should not sit again till the 23d of October." ‡

Thus, for the present, the settlement of the national church, as to doctrine and discipline, was transferred to the king, deciding with the advice of an assembly of divines. The church lands and livings still remained. Two bills, embracing these objects, — the one entitled "The Bill of Sales," the other "The Ministers' Bill," — were warmly debated in the house of commons. The former is described § as a bill "for considering the

* Parl. Hist. iv. 80.

† Ibid. 83.

‡ The Parliamentary History, on the faith of a MS. diary of a member, gives two debates, — one on the 9th, the other on the 16th, — but it would appear that, through some mistake, the debate of one day was divided into two. The vote of the 9th could not have been repeated literally on the 16th ; and if the committee were adjourned from the 9th of July to the 23d of October, it could not have sat on the 16th of July. It is possible that a second debate may have taken place on bringing up the report, but this is not stated or indicated.

§ Parl. Hist. iv. 80.

cases of those who had been purchasers of the king's, queen's, and church's lands during the late times of plunder and devastation." It was urged by the courtiers, that the king's lands, as well as those of the church, should be restored implicitly. Sir Thomas Wroth, himself a purchaser, seconded the proposition, and expressed his readiness to make restitution freely, though he had paid eighteen years' purchase. The latter statement is of some value, as an interesting fact on good authority. The high rate of purchase may suggest, in passing, two observations, — the confidence in the stability of the commonwealth, and the injustice suffered by the purchasers, who were too few and unprotected to resist spoliation. An attempt was made to exempt the old tenants, who had consented to purchase back what had been their own. One member said, that instead of confirming sales, they should punish the purchasers; another, that "he who eats the king's goose should be choked with the feathers." It was finally resolved "that all the king's and queen's lands, rents, and profits be left out of the bill," that is, subjected to restitution. The commoners thus voted the restitution of the crown lands, but proceeded no further with the bill.

The second, or ministers' bill, is described in one place as "a bill for settling and restoring ministers in their ecclesiastical livings and promotions *;" in another, as "a bill for restoring some ministers into their places, out of which they have been long and injuriously ejected and exposed, and for the confirming others in vacant places." It was long and earnestly debated, but of the speeches almost nothing has been recorded. Some proposed that all the intrusive ministers should be removed; others, that no minister should be continued without his adoption of the thirty-nine articles. One member adduced, as an instance of scandal in the clergy, a minister who said, "The devil might take the flock, so he had the fleece." The chief topics were the

* Journ. July 30. 1660. Parl. Hist. iv. 94.

injustice suffered by the episcopal clergy, who were ejected or forced to fly ; and the wrong which would be done to the patron, by confirming in the living a person who obtained it without his consent. It was carried, with the following main provision by way of compromise,—that the intrusive clergy should give back all livings except those to which there was no claimant, or which were legally vacant when they obtained them. This was a wide exception, but it will be seen how it was dealt with by the next parliament and the court.

There was a further exceptive provision, but intended to gratify the presbyterians. Some independent ministers had obtained livings through the favour of Cromwell. The bill provided against the continuance of any incumbent who had not been ordained by an ecclesiastical person, or had renounced his ordination, or had petitioned for the king's trial, or had preached or written in justification of his trial and execution, or had declared his judgment to be against infant baptism. Those bills appear to have passed, without serious opposition, through the house of lords, who seem to have taken their stand only upon the indemnity bill.

The speaker, on presenting several bills to the king, harangued him in the usual strain of rhetorical conceit and fulsome eulogy. Charles made a gracious but brief reply. “ I have,” said he in concluding, “ many other particulars to say and recommend to you, in which I cannot enough trust my own memory, and therefore I shall command the chancellor to say the rest to you.” The king, it appears, did not then read the speech from the throne.

The chancellor (Hyde) addressed them at some length,—and his speech merits notice. It proves, by the best authority, a fact of some historical importance,—that Charles was thus early and strongly suspected of a design to keep the army embodied, and govern by its means according to his will and pleasure. The free spirit of the army of the parliament and the commonwealth had by this time evaporated. Cromwell did

much to corrupt its spirit.* The arts of Monk, and habits of military licence, completed the corruption of all that now remained of it. Charles, doubtless, would have found it a manageable instrument of arbitrary government ; and his brother James mentions his not maintaining a standing army as a fatal error.†

It further appears from the speech of the chancellor, that, short as was the period from the king's return, on the 29th of May, to the 13th of September, the court had already set the fashion of profligacy and profaneness. “ Let not,” says he, “ piety and godliness grow into terms of reproach, and distinguish between the court, and the city, and the country.”

The “ bill of sales,” it has been observed, was not carried through ; and the settlement of religion had been deferred to the king, with the advice of a select council of divines. The chancellor states that the king had taken both subjects into his own hands, and would proceed with the settlement of them during the recess. With respect to the former, he says, “ I believe the persons concerned will be very much to blame if they receive not good satisfaction :” with respect to the latter, he proceeds, — “ The other matter of religion, is a sad argument indeed ; it is a consideration that must make every religious heart to bleed, to see religion, which should be the strongest obligation and cement of affection, and brotherly kindness, and compassion, made now, by the perverse wranglings of passionate and foward men, the ground of all animosity, malice, hatred, and revenge.” — “ My lords and gentlemen,” says the chancellor, in conclusion, “ this disquisition hath cost the king many a sad hour, and many a sigh, when he hath considered the almost irreparable reproach the protestant religion hath under-

* Ludlow (*ut suprà*), speaking of the employment of the troops at the king's public entry.

† Life of James, &c. “ It is suggested by Ludlow, that the king would not have disbanded the army, if he were not persuaded that they, who had already made so many changes in England, were able to bring about another, and to turn him out again with as little consideration as they had brought him in.” — *Mem.* iii. 94.

gone from the divisions and distractions which have been so notorious within this kingdom. What pains he hath taken to compose them, after several discourses with learned and pious men of different persuasions, you will shortly see by a declaration he will publish upon that occasion, by which you will see his great indulgence to those who can have any protection from conscience to differ with their brethren."* At the close of this speech the house adjourned over to the 6th of November.

The settlement of religion already begun during the sitting of parliament was continued in the recess. The first step on the part of the court was to propose an union by mutual compromise between the two churches (episcopal and presbyterian), and to desire the presbyterians to submit their views. That sect or party which so rigorously imposed the iron formula of presbytery and the covenant upon prelatists and independents in its day of power, now offered a scheme of union according to the plan of church government by suffragan bishops and synods proposed by archbishop Usher. It was designed to be submitted to an assembly of divines of both communions. The bishops declined or disdained such a meeting, and repelled in writing the proposed plan with a loftiness and antipathy which rendered union hopeless. The king upon this, acting,

* Charles, at the same time, had to go through the further, and not less irksome, labour of touching for the king's evil. He was overwhelmed with applications in consequence of the discontinuance of the practice during the commonwealth. His first operation, on the 6th of July, is recorded with curious minuteness by Evelyn:—

"His majesty (says he) began first to touch for *ye* evil, according to costume, thus: his may sitting under his state in *ye* banqueting house, the chirurgen cause the sick to be brought or led up to the throne, where they kneeling *ye* king strokes their faces or cheeks with both his hands at once, at which instant a chaplaine in his formalities says, 'He put his hands upon them and he healed them.' This is sayd to every one in particular. When they have ben all touch'd they come up againe in the same order, and the other chaplaine kneeling, and having angel gold strung on white ribbon on his arme, delivers them one by one to his maitre, who puts them about the necks of the touched as they passe, whilst the first chaplaine repeats, 'That is *ye* true light who came into *ye* world.' Then follows an epistle (as at first a gospel) with the liturgy, prayers for the sick, with some alteration, lastly *ye* blessing: then the lo. chamberlaine and comptroller of the household bring a basin, ewer, and towell for his matie to 'wash.'

it has been stated, upon the advice of Hyde, resolved to settle the matter, as head of the church, by a declaration. If Hyde and Charles were already determined to re-establish episcopacy in its plenitude*, the proposal of union and the “healing” declaration, so called, must, have been a tissue of perfidious artifice to delude the presbyterians with false hopes, and gain time until the proper season should arrive for placing them under the feet of the bishops.

It was thought politic to communicate the declaration to both parties before its publication; and a meeting of episcopal and presbyterian divines was convened at the house of the presbyterian earl of Manchester. The king, the chancellor, and several other peers of both churches were present at the conference. The presbyterians again offered at this conference their scheme of church government already mentioned. It provided in substance that the bishops should govern the church but by and with the advice of the presbyters. They were willing to abandon substantially that parity of ministers which was regarded as the essence of a calvinist church. The episcopal divines would not listen to the proposition. “If your majesty,” says doctor Cousins, afterwards bishop of Durham, “will grant this, you will unbishop your bishops.” Reynolds (then a presbyterian), Calamy, and Baxter were present. They cited the Eikon Basilike, to show that Usher’s scheme was approved by Charles I. “All that is in that book is not gospel,” was the king’s reply.† It silenced the presbyterians, and should also have silenced all further dispute upon that canting forgery.

Towards the close of the conference, Hyde stated that the anabaptists and independents had petitioned for toleration; that he had in consequence prepared an additional

* Hallam, Const. Hist. ii. 420., who, however, does not admit that Hyde advised the declaration as stated by Burnet. Upon that writer’s credit, or rather want of credit, it is unnecessary to observe; but Hyde himself, in his speech to the parliament at the adjournment, speaks of the declaration then prepared, but not issued, in the tone of one who, if he did not advise at least fully approved it.

† Bate’s Funeral Sermon on Baxter.

clause, to be inserted in the declaration, and should submit it for the opinion of the divines then present. This clause set forth “that *others* also be permitted to meet for religious worship, so be they do it not to the disturbance of the peace.” The truth flashed upon the minds of the divines of both sides, that it was intended to give toleration to Roman catholics. The bishops said not a word. A pause of silence ensued — none ventured to disapprove a clause proposed by the chancellor in the presence of the king. It was broken by Baxter — a person in whom bigotry has passed for principle. Papists and socinians had been expressly excepted against by Doctor Gunning. “As we,” said Baxter, “humbly thank your majesty for your indulgence to ourselves, so we distinguish the tolerable parties from the intolerable. For the former we humbly crave but lenity and favour; but for the latter, such as the two sorts named (socinians and papists), for our parts we cannot make their toleration our request.”* “There are laws enough against the papists,” said Charles. Baxter replied that he understood the question to be “whether those laws should be executed or not?” upon which the king dismissed the meeting. The bigot is the most inconsistent of human characters. This intolerant sectary would refuse others toleration at the very moment when he was claiming it for himself; and after having denied toleration to prelacy when it was weak, as rigorously as to popery and socinianism now, crouched before prelacy in the hour of its triumph.

The “healing declaration” was published on the 25th of October. It set forth that the bishops should exercise their functions by and with the advice of the presbyters; that the liturgy should be reformed; that none should be compelled to receive the sacrament kneeling, or use the cross in baptism, or bow at the name of Jesus, or wear a surplice except in cathedrals and the king’s chapel; in short, it so nearly accorded with the demands of the pres-

* Baxter’s Life, &c

byterians, that Baxter waited upon Hyde in an ecstasy of joy and gratitude, to offer his co-operation for a general union, provided the king's declaration were carried into effect. But the declaration was not and never became law, and, as it will presently appear, was not designed by its framers to be any thing else than a device to serve a purpose, and be treated afterwards as so much waste paper.

That which chiefly and memorably distinguished the period of this recess was the trial and execution of the regicides. Flagrant iniquities were practised gratuitously to insure their being brought to the scaffold. The principal management appears to have been confided to the chief baron, sir Orlando Bridgman, whom Ludlow describes as an agent and spy of the royalists, under colour of practising as a lawyer, by the indulgence of Cromwell.* The chief baron, with three other judges and the crown lawyers, at a preliminary consultation, laid down six rules, among which were the following:—that the indictment should be for compassing the death of the late king, under the 25th of Edward III., and that his death should be one of the overt acts to prove the compassing,—that overt acts not in the indictment might be given in evidence,—that two witnesses should not be required to each particular overt act. As a further precaution the commission was delayed until the appointment of new sheriffs more ready than their predecessors to pack a jury.† Bills were sent up and found against 29 persons‡; and their trials began before thirty-four commissioners§, on the 9th of

* Mem. iii. 60.

† Ludlow, Mem. iii. 48.

‡ These were, Waller (sir H.), Harrison, Carew, Cook, Peters, Scot, Clement, Scroop, Jones, Hacker, Axtel, Heveningham, Marten, Millington, Tichborn, Roe, Kilburn, Harvey, Pennington, Smith, Downs, Potter, Garland, Fleetwood, Meyn, J. Temple, P. Temple, Hewlet, and Waite.

§ The commissioners were, sir Thomas Allen, lord mayor of London, lord chancellor Hyde, the earl of Southampton, the duke of Somerset, the duke of Albemarle (Monk), the marquis of Ormond, the earl of Lindsay, the earl of Manchester, the earl of Dorset, the earl of Berkshire, the earl of Sandwich, the lord Say and Sele, the lord Roberts, the lord Finch, Mr. Denzil Holles, sir Frederic Cornwallis, sir Charles Berkley, Mr. Secretary Nicholas, Mr. Secretary Morrice, sir Anthony Ashley Cooper, Mr. Arthur Annesley, sir Orlando Bridgman, lord chief baron, Mr. Justice Foster, Mr. Justice Mallet, Mr. Justice Hyde, Mr. Baron Atkins, Mr. Justice Twisden,

October, at the Old Bailey. Several of the persons who thus sat as judges were as guilty of treason under the 26th Edward III. and the charge of the chief baron as those whom they tried. The judge declared it to be the law that "no authority, no single person or community of men, nor the people collectively or representatively, have any coercive power over the king of England," and that to imprison the king was "a horrid treason," by two statutes of parliament.* But of these commissioners fifteen, according to Ludlow, had levied war against the king by their votes in parliament, or by force of arms in the field, and several of them still sat in parliament when Charles for the first time became its prisoner at Holmby. Lords Manchester and Say were excepted from a general pardon in one of the proclamations of the late king. Holles acted the most violent part in parliament, and in the civil war, or as it was now called the rebellion, with the further disqualification for the ends of justice of bringing to the trial of independents and republicans the vindictive passions of a partisan and a presbyterian. Monk, in sitting as a commissioner, but finished the part played by him in the recent transactions. The palm of transcendent infamy may be given to sir Anthony Ashley Cooper, who, having purchased his pardon by his perfidy, now sat as the judge of men

Mr. Justice Tyrrel, Mr. Baron Turner, sir Harbottle Grimston, sir William Wild, recorder of London, Mr. Sergeant Brown, Mr. Sergeant Hale, and Mr. John Howel. The prosecutors in behalf of the king were, sir Jeffery Palmer, attorney-general; sir Heneage Finch, solicitor-general; sir Edward Turner, attorney to the duke of York; Sergeant Keyling; Mr. Wadham Windham.

* See his speech, *Trial of the Regicides*, State Trials, v.; and Ralph, i. 22., where will be found the following curious note on the subject:—"Not to carry my readers too far back into antiquity, we have upon record a message from the parliament to Richard II., in which is the following remarkable passage:—

"*Habent enim ex antiquo statuto, et de facto non longe retroactis temporibus experienter quod dolendum est habitos si rex, ex maligno consilio quoquaque, vel inepta contumacia, aut contemptu, seu proterva, voluntate singulari, aut quovis modo irregulari, se alienaverit à populo suo, nec volunt per jura regni et statuta ac laudabiles ordinaciones cum salubri consilio dominorum et procerum regno gubernari et regulari, sed capitae in suis insanis consiliis propriam voluntatem suam singularem proterve exercere, extunc licitum est iis, cum communis assensu et consensu populi regni ipsum regem de regali solio abrogare, et propinquulorem aliquem de stirpe regia loco ejus in regni solio sublimare.*"

with whom he had sat in council, for whose safety, to the touching of a hair of their head, he had bound himself in the penalty of “damnation, body and soul,” and with whom he might have been tried as an accessory. Among the many stains upon the reputation of Shaftesbury, this is by far the darkest. It is more base, but could not be more wicked, than his share in the popish plot.

The commonwealth created new and arbitrary treasons and tribunals; but the victims were few out of many; the guilt charged was unquestionable; and the justice of the republicans was executed without unnecessary infliction or privation. The restoration brought back the ancient and established jurisprudence, but only to outrage jurisprudence and humanity. To the trial and execution of the regicides may be referred that taste and thirst of blood and brutality which characterised political factions, the populace, and criminal justice through this unhappy reign.

Of the twenty-nine persons tried, and as a matter of course convicted, ten were put to death. The judicial iniquities in the proceedings were obviously not requisite for a verdict of guilty. They can be accounted for only by the desire of the judges and lawyers to prove thus early their fitness as tools for the new or restored order of government. Harrison was the first tried. There could be no difficulty in convicting one who admitted the act and vindicated it. “My lord,” said he, “the matter that hath been approved to you was not done in a corner. I believe the sound of it hath been heard in all nations. I have desired, as in the sight of Him that searcheth all hearts, whilst this hath been, to wait and receive from Him convictions upon my own conscience. I have sought it with tears many a time, and prayers over and over to that God before whom you and all nations are less than a drop of water of the bucket; and to this moment I have received rather assurance of it, that in the things that have been done ere long it will be made known there was more

of God in them than men are aware of. I do profess I would not of myself offer the least injury to the poorest man or woman that goes upon the earth. You know what a contest hath been in these nations for many years, and divers of those that sit upon the bench were formerly as active." The court stopped him, and he resumed. "I followed not my own judgment—I did what I did out of conscience to the Lord; and when I found those that were as the apple of mine eye [Cromwell] to turn aside, I did loathe them, and suffered imprisonment many years. I chose rather to be separated from my wife and family than have compliance with them, though it was said 'sit at my right hand,' and such kind expressions. Thus I have given a little poor testimony that I have not been doing things in a corner, or for myself. It may be I might be a little mistaken; but I did it all according to the best of my understanding, desiring to make the revealed will of God in his holy Scriptures as a guide to me." He concluded by maintaining that what was done had the sanction and authority of parliament, then the supreme power in England, and was above the jurisdiction of any other court. Harrison was a fanatic, but fanaticism had not rendered him inhuman. Religious enthusiasm exalted and deluded his imagination without hardening his heart. He was a stranger to that worst instinct of fanaticism, intolerance; and his tears and prayers before he voted the king's death, prove that his vote was a sacrifice wrung from him by his notions of piety and justice. He was warned of the intention to apprehend him, but refused to withdraw, "accounting," says Ludlow, "such an action to be a desertion of the cause in which he had engaged."—"I will not," continues Ludlow, "take upon me to censure the conduct of the major-general, not knowing what extraordinary impulse one of his virtue, piety, and courage may have had upon his mind in that conjuncture."* A brutal experiment was made upon his courage during his trial.

* Lud. Mem. iii. 11, 12.

The common hangman stood beside him in a hideous dress with a halter in his hand.*

Carew, like Harrison, a believer in the millenium, met the interruptions of his defence by the court, and his sentence of death, with the same curious combination of reason, courage, and enthusiasm. Annesley, afterwards earl of Anglesey, one of the commissioners, particularly urged against him his share in the excluding of the members (of whom Annesley was one) in 1648. Carew observed in reply, that it was strange to find a man who sate as judge giving evidence as a witness.†

Colonel Adrian Scroope, a man of generous character and superior endowments, had surrendered himself under the proclamation, and was even discharged from confinement with the penalty of a year's value of his estate as a fine to the crown. He was notwithstanding brought to trial and to the scaffold, in consequence of the disclosure of a private conversation by major-general Browne, a presbyterian, now lord mayor elect, a man of base sentiments, and mercenary character. He swore on the trial that, talking one day with Scroope, he made the remark that “the nation was in a sad state since the king was murdered,” and that the colonel replied “men had different opinions touching that matter.”‡

The expression already mentioned of Scot, in parliament, that he would have his vote, as the king's judge, recorded in his epitaph, was proved against him by the speaker Lenthall. This was a grievous falling off from Lenthall's conduct in the affair of the five members, when he told Charles that he had neither eyes to see nor tongue to speak but by command of the house. But the public cause, then in the freshness and vigour of youth, imparted something of its force and fire to persons of weak character. Now the spirit of freedom was evaporating, and English virtue was on the wane.

Colonel John Jones and Gregory Clement, seeing it in vain to attempt the defence of their lives or of their

* Lud. Mem. iii. 64.

† Ibid. 65.

‡ Ibid. 66.

characters before a court which silenced every allusion to the lawfulness of their authority and the integrity of their motives, confessed the fact and were found guilty.

Four persons, not members of the high court of justice, were convicted capitally at the same time. These were, Hugh Peters, the army chaplain ; Cooke, who, as solicitor, conducted the prosecution against the king ; and colonels Axtell and Hacker, two officers who had assisted at the trial and execution of the king in the due performance of their military duty. The two latter urged the authority of the parliament, the command of their superiors on pain of death, and the example of Monk himself, now sitting as their judge. The charge against Peters was, that he encouraged the soldiers to demand justice upon the king, as a tyrant who had violated the liberty and shed the blood of the people, and in his sermons denounced kingship as an expensive nuisance.

The execution of the sentence of death on these ten persons presented an astonishing spectacle of courageous martyrdom on the part of the sufferers, and of revolting barbarity on the part of those who professed to exercise the ministry of justice. The dripping and ghastly head of Harrison was placed beside Cooke on the sledge which conveyed him to the scaffold ; and Peters was compelled not only to witness the execution of Cooke, but to bear the reeking touch and bloody ribaldry of the hangman at its close. Harrison was subjected to the horrid formalities of the law of treason before his life was yet extinct. They suffered, some with the fervour of religious enthusiasm, others with the firmness of Roman virtue ; all glorying in the cause for which they died.

The death of sir John Bourchier, one of the king's judges who signed the warrant, deserves mention here. His extreme age and infirmities, his having surrendered upon the proclamation, and the influence of his friends, obtained him the indulgence of being kept a prisoner in the house of his daughter. She, with several of his friends, implored him to seek

mercy by confessing his guilt. For some days he had been unable to rise without assistance from his couch. He now started up without assistance, "receiving," says Ludlow, "fresh vigour from the memory of that action;" exclaimed, "I tell you it was a just act; God and all good men will own it;" and having thus expressed himself, lay down quietly and expired. The spectacle of men thus sealing their moral conviction with their lives could not fail to touch the public heart — even the savage populace which came to witness the executions was moved by the piety and courage of the sufferers — to such a degree that, if Burnet may be relied on, the king was advised to shed no more blood.* The remaining nineteen persons convicted of regicide treason were suffered to linger on to the end of their natural lives in prison or in obscurity.

That famous army of the long parliament and commonwealth was disbanded during the recess. Charles was little disposed to govern without an army; and his brother James, discovering thus early principles of despotism more systematic, but not less arbitrary, than his heedless brother, advised him to keep up a military force.† The strong antipathy of the nation to a standing army, and the king's distrust of even Monk's remnant of the army of the republic, prevailed; and the several regiments, two only excepted,‡ were disbanded, with their arrears paid up, a gratuity of a week's pay to the officers and men, and a court panegyric, remarkable for exaggeration and hollowness. The regiments maintained were one of cavalry, and Monk's regiment of foot, called the Coldstream. They were kept up under the name of guards, and formed the first nucleus

* The shocking inhumanity practised on their lifeless and mangled bodies is recorded by an eye witness, Evelyn:—"Scot, Scroop, Cooke, and Jones, were executed at Charing Cross, in sight of the place where they put to death their natural prince, and in presence of the king his son, whom they also sought to kill. I met their quarters, mangled and cut, and reeking, as they were brought from the gallows in baskets on the hurdle." (i. 314.) This horrid spectacle excites in the "good," the "gentle" Evelyn, no other emotion than vindictive pleasure.

† Life of James, &c.

of a standing army as it has since grown up under the crown.

Parliament reassembled on the 6th of November. The whole house of commons, led by the speaker, immediately waited on the king with a resolution of thanks for his majesty's late gracious declaration. In the fulsome rhetoric of the speaker, one point only demands notice. He states that the commons had already prepared a bill for converting the ecclesiastical declaration into law. The presbyterian ministers presented to him a similar address of thanks, in the same strain of flattery. Charles's answer to the commons is not recorded. To the ministers he said, "Gentlemen, I will endeavour to give you all satisfaction, and to make you as happy as myself."*

Nothing at the same time was farther from the mind of Charles and his advisers; the presbyterians were doomed to speedy and bitter disappointment, and such was the bigot temper of that party, that their disappointment deserves regret or censure only as a violation of a great principle. Their object was what was termed a comprehension, that is, they were willing to share the wealth, honour, and exclusive character of the church with the episcopal clergy, upon the basis of a compromise which should deny to every other sect toleration.

The various sectaries who had sprung up under various names within the general sphere of independency, would be placed under the cloven foot of persecution, with the double pressure of episcopacy and presbytery in the new establishment. Charles hated the covenanters; he declared that presbyterianism was not a religion for a gentleman; his own notions of religion were loosely formed; he became familiar abroad with the worship of the church of Rome, in which the pomp and beauty of the fine arts probably captivated his imagination and taste; it was the religion of his mother, which none

but a stern bigot or a bad son could view without indulgence.

Hence the king was well disposed to adopt a scheme proposed to him by Clarendon and his brother James, with the approbation of the bishops. This was to repudiate the presbyterians and their comprehension, and to re-enthrone episcopacy, with a toleration which should embrace all sects ; independents, baptists, socinians, and catholics. The chancellor Hyde, it has been observed, threw out the suggestion to the assembly of divines, upon which the bishops were silent ; but the presbyterian choler of Baxter rose at the proposal implied, not expressed, of tolerating socinians and papists. James was already a convert in secret to the church of Rome, and his object doubtless in desiring universal toleration was to embrace in it the Roman catholics. He yet appears to advantage compared with the presbyterians ; his zeal, however irrational, was more tractable and tolerant : he could at least endure the religious freedom of others. The presbyterians could not enjoy their liberty of conscience without the spectacle of others' persecution.

The bill announced by the speaker for converting the king's declaration into a law was introduced into the house of commons on the 28th of November, and rejected, after a sharp debate, by a majority of 183 to 157. This result opened the eyes of the presbyterians. Morrice, the confidant of Monk, now a secretary of state, and sir Heneage Finch, solicitor-general, opposed the bill. The former said, that "what was medicine at one time, might be noxious at another ;" the latter, that "the rule of conformity could not be abandoned without the reproach of injustice to the Roman catholics, who had suffered so much and so long for not going to church, and that it was not the king's desire that the bill should proceed."*

It now became apparent to the presbyterians that the declaration was but a device to keep them

* MS. Diary, cited in the New from the Old Parliamentary History.

quiet until the church should be in a condition to expel and defy them.* Serjeant Maynard, a leading presbyterian, opposed the bill ; he assigned a reason, worthy of his party, that “ it gave too great a liberty ;” but that mercenary lawyer had served all parties in succession, and was now, doubtless, at the disposal of the court.

The rejection of this bill is disgraceful to the convention parliament ; it shows that the majority was a mere engine of the court, whether blood was to be shed upon the scaffold, or the yoke of episcopal conformity to be imposed upon religious conscience. Another of its measures leaves a stain of baser hue upon its character ; it passed a bill of attainder against Cromwell, Ireton, and Bradshaw, in order that their forfeited estates should glut the rapacity, and the desecration of their tombs the vengeance, of the court. It was not till the 30th of January of the next year but one, that this dastardly outrage was perpetrated. Their mouldering bodies were drawn on sledges to Tyburn, hanged “ upon the several angles of the triple tree till sunset, then taken down, and after undergoing decapitation, thrown into a pit dug under the gallows, whilst the heads were exposed on poles, at the top of Westminster-hall.”†

It may be added here, by anticipation, that, with no other authority than the king’s warrant, the dean and chapter of Westminster proceeded to exhume the bodies of all who had been buried there since 1641, and cast them into a pit dug in the church-yard of St. Margaret’s. Among those whose mortal remains were subjected to this base and impotent revenge, were Pym, the renowned Blake ; May, the historian of the long parliament, and translator of Lucan ; and Dorislaus, so infamously assassinated in Holland by the followers of the court of Charles, the mother and daughter of Cromwell. The escape of Milton from the

* Neal, ii. 585, from Life of Baxter.

† See Harris’s Life of Cromwell, Appendix, last page.

exceptions to the indemnity bill, with only an imprisonment of some months and extortionate fees, was thought extraordinary. But the vengeance which spared his life, and could not be wreaked on his remains, because he yet lived to achieve a monument of surpassing glory, not to be named with the vulgar pride of courts and kings, vented itself on his writings. His defence of the English people in answer to the hireling pedant Salmasius, and his exposure of the falsehood and fabrication of the Eikon, were burned publicly by the hands of the common hangman.

The outrages thus offered to the remains of such men as Cromwell, Bradshaw, Ireton, Blake, Pym, and to the writings of Milton, may be viewed with a sentiment not unpleasing. The reflection naturally suggests itself that no combination, however strong for its hour, of tyranny with the populace, can reach its victims in that which is essential and immortal, even on this side the grave,—their genius, virtue, and renown.

The convention parliament now approached the close of its ignominious career. It remained for it only to convert into bills the resolutions of supply, passed before the recess. The only change worth notice is, that in lieu of 100,000*l.* a year to the king, as compensation for the profits of the court of wards, which was so odious and often branded that even the restoration was ashamed to continue it, the commons substituted half the produce of the excise. The vast gain of the court upon a revenue growing annually with the growth of the people is obvious.

A message from the king had announced the dissolution for the 20th; it did not, however, take place till the 29th of December. The speaker, in presenting several bills for the king's assent, improved upon his usual strain of eulogy. His sycophantic puerilities cannot be read without loathing; they manifest as great a debasement of taste and style as of moral character. Charles, on his part, replied with his

accustomed felicity of expression, and accustomed want of truth and faith : “ I shall,” said he, “ no more propose to myself any rule but this in my actions and counsels — What is a parliament like to think of this action or this counsel? And it shall be want of understanding in me if it will not bear the test.” For a more full development of the state of the nation and his views of government, he referred them to his chancellor.

Hyde, recently raised to the peerage, in the course of a fulsome court harangue, said several things well calculated to wake attention and alarm, even in this servile parliament, at its last hour. After communicating the fact, that Charles, like Constantine, spent his time in public and private conferences with learned men for the settlement of “ the languishing church,” he went on to say, that his majesty’s labours had not wholly succeeded, and that certain persons who wrote and preached “ rashly and unconsciously,” should be “ reduced by law to the obedience which they owed the law.”

The presbyterians had by this time discovered or suspected how egregiously they were duped ; the more zealous or less prudent allowed free vent to their hatred of prelacy, and the chancellor now gave them a clear intimation that they should soon be reduced by law to conformity and silence.

He next disclosed the existence and defeat of a desperate conspiracy to rescue “ those wretches so justly condemned and worthily executed *,” seize the Tower, Whitehall, and Windsor Castle; and, with the aid of insurrections in the west, under Ludlow, in the north, under other persons, restore the commonwealth. Several suspected persons were, he said, lately “ clapped up ;” and some of these, touched by the eloquence of the king, who questioned them in person, made full confession, after obstinate and impenitent denials.

* Ralph supposes (l. 29.) that this applies to Venner and his associates, whose insurrection did not take place until the following January. Clarendon refers obviously to the regicides.

There was not a shadow of foundation for the startling announcement made with so much pomp and effrontery by the chancellor. Ludlow had fled to Switzerland, and Desborough, Overton, and others of less note were confined as a measure of arbitrary precaution, in consequence of a disposition to relapse into republicanism, shown by a part of the army, on the eve of being disbanded. The purpose of the court was more clearly disclosed at the close of the chancellor's speech. He said that a desperate insurrection might be looked for shortly through the kingdom. This is one of the common pretences put forth by a government already determined to oppress. The presbyterians saw from the whole tenor of the chancellor's speech, that tyranny, ecclesiastical and civil, was approaching ; but it was now too late : the parliament, supposing it capable of rallying, was dissolved ; and the leaders of the presbyterian party, Holles, Ashley Cooper, and Annesley, were bought over with places and peerages.

Credit has been given to the convention parliament for some beneficial measures ; the chief were the post-office act, and the act for the encouragement of shipping and navigation. The origin and honour of both belong to the commonwealth ; those acts were but confirmatory. There is in truth nothing to excuse or redeem the strange delirium of passion and servility with which the renegade survivors of the long parliament renounced its principles and surrendered the public liberties in the convention parliament.

1661. The restoration encountered little difficulty in Scotland, and still less in Ireland. Lord Broghill, who was already intriguing concurrently with Monk, sir Charles Coote, and the council of officers which continued since the departure of Henry Cromwell, summoned a convention, which, in imitation of that of England, recalled the king, and sent him over addresses of loyal congratulation, with an offer of a large present in money, and a suggestion of the immediate necessity of securing them in the possession of the confiscated lands of the Irish.

Charles gave their assurances and offers a gracious acceptance, and restored, not only the government of the state by lords justices, but that of the church by bishops, of his sole authority, without opposition from the army of the commonwealth. Some of the best troops of that famous army, men and officers, animated with a religious and republican enthusiasm, went to serve in Ireland ; but they soon became changed in all but their valour. The war in Ireland was one not of principle, but of spoil ; and as the armed champion of the good old cause became enriched, he forgot not only the civic virtues, but his religious zeal, in the absorbing passion of riches.

Neither Scotland nor Ireland was mentioned in the king's declaration from Breda. They were doubtless regarded as satellites which must move in obedience to England. To the Scotch, the omission was indifferent, if not satisfactory. Charles, during his unfortunate expedition to his native kingdom, had granted a full indemnity, under the name of an act of approbation ; and the presbyterian ministers, upon seeing the declaration from Breda, deprecated with abhorrence the extension to Scotland of its promised indulgence to "tender consciences."

They little thought how faithless was that promise ; and still less did they think, that the liberty which they denied to others would soon be invoked in vain by themselves. Thus it is that, in the moral order, perfidy and oppression sometimes carry with them an instructive retribution. Religious toleration is the lesson, of all others, the most frequently inculcated in this way, and, unhappily, the least observed.

The first step of Charles was to restore the committee of estates of 1651, and invest them with the government of Scotland. Middleton, now an earl, was appointed commissioner, Lauderdale secretary of state, Glencairn chancellor, Rothes president of the council, Crawford treasurer. The commissioner exercised the chief power, divided only with Lauderdale.

The Scotch parliament readily adopted a restoration, which made Scotland an independent, or at least separate, kingdom, from being an appendage of the commonwealth, and brought back the race of native princes. In Scotland, as in England, the commonwealth was expiated and the restoration sealed with blood. This began with the memorable iniquity of the trial and execution of Argyle. He came to England in the summer of the preceding year, tried in vain to be admitted to the king's presence, was committed to the tower as a regicide traitor, on the pretence of his having secretly shared by correspondence with Cromwell in the death of the late king, and was sent back to Scotland for trial. This was equivalent to passing sentence of death upon him ; it placed him at the mercy of those who hated him with the rancour of rival faction, and the avidity of men who hoped to share the spoil of his confiscated estates upon his being executed as a traitor.

The accusation against him, under two heads, and consisting of about thirty elaborate articles, is one of the most monstrous in the annals of judiciary procedure.* It began with the war of the covenant in 1638, ended with his sitting in the parliament of Richard, and charged upon him every act of oppression and atrocity committed in Scotland by his partisans within that period, even during his absence in England.† His

* State Trials, 1370, &c.

† The spirit of this accusation and of the age, may be judged by the following extract from the ninth article :—

" And to manifest their further cruelty, they did cast some of the aforesaid persons into holes made for them, who were spurning and wrestling, whilst they were suffocated with earth ; having denied to them any time to recommend themselves to God, albeit earnestly desired and begged by the said murdered persons. Insomuch that the Lord from heaven did declare his wrath and displeasure against the aforesaid inhuman cruelty, by striking the tree whereon they were hanged, in the said month of June, being a lively fresh growing ash-tree, at the kirk-yard of Denorne, amongst many other fresh trees with leaves : the Lord struck the said tree immediately thereafter, so that the whole leaves fell from it, and the tree withered, never bearing leaf thereafter, remaining so for the space of two years ; which being cut down, there sprang out of the very heart of the root thereof a spring like unto blood popling up, running in several streams, all over the root, and that for several years thereafter : until the said mur-

defence would have availed him before any tribunal in the world which regarded justice or could be touched with shame. He urged, that the atrocities charged against him were forged, exaggerated, or committed in retaliation for excesses no less horrible, by persons whom he could not control, and even whilst he was absent in England ; further, that they were covered by the indemnity of the late and present king up to 1651 ; and as to his compliance with the usurpation, it was an epidemic compliance, for which he had the authority and example of his prosecutor the lord advocate Fletcher. That person, with the brutality so common among court lawyers in trials of blood, reviled and silenced him with such opprobrious terms as “ impudent villain,” and he abandoned himself to his fate, observing only that his afflictions had taught him to endure.

Meanwhile lord Lorn, who had been soliciting for his father’s life at court, returned to Scotland with the king’s order that Argyle should be tried only for offences subsequent to the indemnity of 1651, and that before any sentence was executed the whole proceedings should be submitted to the king. Middleton, who acted throughout with a revolting eagerness for his condemnation, and the hope of profiting by his forfeiture, procured a revocation of the latter mandate, under the pretence of its reflecting upon the justice of the court of parliament, and contrived that the former should be but imperfectly or evasively complied with. Argyle had nothing to hope from justice, but he had strenuous friends ; and his fate hung in doubtful suspense, when the scale was turned by a new infamy on the part of Monk.

derers or their favourers, perceiving that it was remarked by persons of all ranks (resorting there to see the miracle), they did cause houck out the root, covering the whole with earth, which was full of the said matter like blood. Of the which cruel murders, the said persons, and especially the said marquis of Argyle, or one or other of them, were authors, actors, aiders, abettors, assisters, contrivers, countenancers, and promoters, many of the said persons, defendants, being officers under the command of the said marquis of Argyle.” — *State Trials*, v. 1382, 1383.

He placed Argyle's private letters to him in the hands of his enemies ; they were read by Middleton at a stage of the proceedings when they could not properly be received as evidence ; they contained expressions of zeal for the maintenance of the commonwealth ; and he was condemned to execution as a traitor within two days, with the further direction that his head should be exposed over the common gaol, in the place occupied by that of Montrose. Argyle requested ten days' respite in order that the king's pleasure might be taken ; was refused this delay, and exclaimed, "I placed the crown upon his head, and this is my reward, but he hastens me to a better crown than his own ; and you," said he to his judges, "cannot deprive me of that eternal indemnity which you may require yourselves."

When Charles was crowned at Scone, Argyle, it will be remembered, placed the crown upon his head, and was flattered with the hope of his daughter's marriage to the king.

The consent of Charles to the death of Argyle, in compliance with his enemies, has been ascribed to that easy temper which rendered him at all times prone to compliance, and would, under other circumstances, have equally disposed him to the better side. But there is something indescribably debased and despicable in that easy, listless selfishness, which lends itself indifferently to good or evil.

Argyle prepared for death, and suffered it with the utmost composure, courage, and piety. He addressed a letter to the king in his vindication, and in favour of his son, conversed cheerfully with his friends immediately before his execution, protested his innocence, forgave his enemies, deplored the corruption of the times, exhorted the people to suffer rather than sin against the covenant, which he called "the oath of God, from which it passed the power of all the magistrates under heaven to absolve them," and submitted his head with pious fortitude to the instrument of death, called the Maiden.

The death of Argyle would completely redeem his personal courage and moral character from the serious imputations upon both, if individual character and human nature were not found so variable and anomalous.

Several other victims were marked out, but three only suffered death. Guthrie, a protesting minister, whose real offence was his having excommunicated Middleton and preached against the private vices of Charles ten years before, and Gouan, an obscure military officer, who had deserted to Cromwell in the second civil war, were executed immediately after Argyle. The former spoke and died on the scaffold with a contempt of death which astonished and moved the beholders.

Johnstone of Warriston, the “unfortunate uncle” of bishop Burnet, as he is called by that historian, had escaped to the continent, but after some time was delivered up by the French government on his coming to Rouen, and brought back for trial to Scotland. His infirmities of body and mind from age and disease were such, that his attempts at a defence on his trial were imbecile and incoherent: a spectacle which should have obtained him compassion and mercy, produced derision and raillery. It was said, indeed, that his imbecility was merely assumed; and he rallied his faculties and courage on the scaffold, so as to give some colour to the supposition of imposture.

Gillespie, another minister, saved his life by apostacy, and a confession of guilt. Swinton, pending the restoration, had become a quaker, and submitted himself passively, without invoking mercy or justice from the court, declaring his previous life a continued state of sin. He owed his escape, however, to an accident. Lauderdale had the promise of his estate, and Middleton, to disappoint his rival, saved the life of the quaker. Macleod, the betrayer of Montrose, obtained his pardon, according to bishop Burnet, by indulging in debauchery and impiety, and holding convivial orgies in prison. This procured him friends, at a

time when in Scotland, as in England, the fashion of profligacy was set by the court, and the commissioner and other courtiers were so habitually drunk in the parliament house, that this was called the drunken parliament. It was, according to Burnet, "a mad roaring time," full of extravagance; the public affairs being managed by men almost constantly drunk. Other victims were rescued by timely death, corrupt influence, or the intercession of friends.

The torch of that civil war which abolished monarchy, and brought the king to the scaffold, originated in the attempt of the king and Laud to subject the parliament and church of Scotland to prerogative and prelacy. Middleton, the king's commissioner, now undertook to establish both in their plenitude, and he succeeded. So much does the success of an enterprise depend upon circumstances. It would seem that circumstances even determine the estimate of its moral character. The defeated attempt of Charles I. and Laud is branded with the most odious epithets which could apply to despotism and persecution, and is not merely familiar, but trite as a matter of historic reference. Charles II. and Middleton, without the excuse of religious zeal, and with the aggravation of perfidy, repeated the experiment with easy success; and of this incident there is but little trace in the page of history, or the memory of men.

Lauderdale, from policy or conviction, inclined to presbyterianism. His rival in ambition, and superior in office, was strenuous for episcopacy, and impressed upon the mind of the king that, without church government by bishops, his prerogative in Scotland would be imperfect and precarious. Charles gave a ready assent to suggestions so congenial to his dislike of presbyterianism, and abhorrence of the covenant.

The commissioner proceeded by degrees. He proposed and carried several tests and declarations, including an oath of allegiance to the king as "supreme

governor over all persons and in all cases." The kirk ministers first murmured, and finally remonstrated, against this implied usurpation of Christ's spiritual supremacy over the kirk, by which they doubtless meant their own. They proposed, by way of compromise, to acknowledge the king as "supreme civil governor," &c. Middleton gave them a verbal and invalid disclaimer of touching matters of church doctrine or discipline, but rejected that limitation with disdain.* The covenant was invaded and damaged indirectly by several acts, and the people endured this with surprising patience. The commissioner, encouraged by his success, proposed a measure still more sweeping; in fact, the most sweeping and extravagant in the records of British legislation. This was "a general act rescissory;" that is, an act rescinding every proceeding of all the "pretended parliaments," conventions, committees, &c., since the commencement of the troubles (1633) in Scotland. It was objected that two of these parliaments were sanctioned by the presence respectively of the late and present king. Middleton replied, that in both cases the king was not morally a free agent; and an act which obliterated at once the legislation of several years, and vested the government of the kingdom in church and state almost absolutely in the king, was carried with only thirty dissentients.

This extravagant act, resolved upon, according to Burnet, in a drunken conclave of Middleton and his friends, was followed by a recess of some weeks. Meanwhile the king issued his proclamation for restoring church government by bishops in Scotland, and the newly appointed Scotch prelates having received ordination from Sheldon, bishop of London, in Westminster Abbey, went back to Scotland to take the government of the kirk, and their places in the Scotch parliament.

* These transactions are related at length in Woodrow, Baillie, Kirkton, Burnet, and Middleton's narrative of this and the succeeding session of the Scotch parliament to the king, printed in the *Miscellanea Aulica*.

The most odious of the new prelates was Sharpe. He came to London the trusted delegate of the presbyterian church, returned archbishop of St. Andrews, and was fated to expiate his apostacy by a horrible death.

The presbyterians met and murmured in synods and conventicles, but did nothing more. The king's proclamation prohibited, and his warrant readily dispersed them. It took but a few months to undo, almost without resistance, the work of nearly thirty years.

The people of Scotland gave a great example of sagacity in council, valour in the field, public spirit and patriotism in sacrificing to the public cause. But they achieved nothing stable or really beneficent, because their views and actions were governed more by bigot zeal and the chimæras of fanaticism, than by the universal sense and reason of mankind. It is not that the former had now evaporated and passed away. The spirit which framed and fought for the covenant, was not even dormant. It found a new aliment, perhaps, by a politic diversion in the persecution of popery and witchcraft. Warrants were issued for the discovery of both these offences throughout the kingdom; the ministers, in their sermons, denounced the vengeance of the Lord upon them; and the barbarous jurisprudence, which had fallen into desuetude under the more tolerant and enlightened government of the commonwealth, was revived. Religious persecution is revolting enough, but there is something still more shocking in the crusade preached by the ministers of religion for the honour of God, and executed by barbarous tribunals, and the brutal populace, upon old women, whose miserable aspect of poverty and decrepitude was regarded as the mark of Satan.*

* England shared this reproach with Scotland, but in a lesser degree. The trial and conviction of the witches at Bury St. Edmund's, in 1665, before sir Matthew Hale, is well known. That eminent judge, according to the notes taken by a person present at the trial (see State Trials, v. 700, 701.) told the jury that "they had two things to inquire after. First, whether or no these children were bewitched? Secondly, whether the prisoners at the bar were guilty of it? That there are such creatures as witches, he made no doubt at all; for, first, the Scriptures had affirmed so much; secondly, the wisdom of all nations had provided laws against such

Whilst papists and witches were thus abandoned to the pious zeal of the covenanters, another concession, more honourable to all the parties, was made by Charles to a better feeling of the people of Scotland—their pride of country. The English garrisons of the commonwealth, left behind him by Monk, were withdrawn, and the fortresses themselves, which had been constructed or improved by Cromwell, were dismantled. This independence, however, was nominal ; Scotland was still governed, not by national counsels, but as an appendage of England, by a small cabal of Scotch courtiers acting in subordination to the English ministry. It was most probably inevitable, in the relations between a greater and a lesser kingdom, under the same individual sovereign residing in the former as his seat of government. There is, in such a case, no mean between an absolute separation, and as complete an integral union and identity. The choice of the alternative depends upon various circumstances, physical and moral ; as the numbers, virtues, and passions of the people.

The restored government had as yet no political transactions with foreign powers. Peace prevailed through Europe ; and the same courts which had been so profuse of their homage to the republic, were no less profuse and more sincere in their compliments to the restoration. The sympathies of royal caste, were combined with the joy of being relieved from the superiority of Cromwell and the commonwealth. The Dutch, governed wholly by their interests, were the most rejoiced of any. Those republican traders saw, with pleasure, a restoration which promised ruin to the rival commerce and

persons, which is an argument of their confidence of such a crime." It is a sad proof of the infirmity of human judgment, that a man so virtuous and learned should yet be so unenlightened. But individual minds, however eminent, are generally tinged with the notions of the age in which they live. Few have the intellectual force, and fewer still the moral courage, to rise above the clouds of cotemporary ignorance and error. One lesson may be drawn from the fact of such a man as Hale sharing the gross credulity of the populace, viz. the paramount benefit of educating and enlightening the mass of the people, not only for the good of the mass, but because its ignorance and prejudices reach persons who may be supposed beyond or above the sphere of such influence.

superior marine of England. The only negotiations were of marriage treaties. Cardinal Mazarin refused the hand of his niece to Charles, whilst a wandering exile and titular king. He now hastened to re-open the negotiation, and offer his own and the lady's consent. It may appear strange that a person of Mazarin's sagacity and experience should expect, in such a change of circumstances, any thing but a refusal in his turn. But he knew Charles well, and he threw in the temptation of "a vast sum of money as his niece's portion."* The parliament and the people, however, were now in their highest paroxysm of loyal exultation, and Charles, taking them at their word, "that he might coin their hearts," refused the bribe and the beautiful duchess of Mazarin. It may be added, that this "errant lady," as she was called by her contemporaries, in the vicissitudes of her fortune produced by the eccentricities of her conduct, fled for refuge from her husband to England, offered herself to swell the list of Charles's mistresses, and had the humiliation to be rejected. Her scandalous adventures could have weighed little with the least fastidious of lovers, but her beauty was then on the wane.

Charles had given scandal, by his dissolute amours, even on the continent. The profligacies of Lucy Walters, mother of the unfortunate duke of Monmouth, were so notorious, that his more decorous counsellors persuaded him to discard her. Even this concession to the advice of his friends, and to public decency, was marked by his characteristic heartlessness. He discarded her, unprovided, to die at Paris, in the lowest state of degradation and poverty.†

Charles, according to one class of historians, on the first night of his arrival at Whitehall, converted his presence chamber into an oratory, wherein he employed himself in devout thanksgiving for his restoration; according to another, his solitude and devotions were shared by Barbara Villiers, afterwards duchess of

* Life of James, &c. 395.

† Evelyn's Diary, i.

~~Portsmouth~~, whom he took away from her husband that very night. Clarendon, and his friends in the council, apprehending ill consequences from the notoriety of his dissoluteness, or dreading the rival influence of a mistress with all the arts and charms of the sex, formally recommended marriage to him, as a measure of state policy and royal duty. The foreign ambassadors were immediately on the alert. Mello, the Portuguese minister, offered the princess Catherine of Portugal, with Tangiers, Bombay, free trade with Portugal, and half a million sterling for her dower. The court of Spain still claimed the dominion of Portugal, was, of course, hostile to this match, and offered a princess of Parma, with the portion of an infanta of Spain. Several of the king's advisers recommended a protestant princess of the north of Europe, but the personal objections of the king could not be overcome. He probably knew and was disgusted with the coarse manners of the north, compared with those of the south of Europe. The infanta of Portugal was preferred. Much has been written upon the intrigues and interests of parties which decided this preference. Louis XIV., in the first volume of the voluminous collection of papers falsely called his works, takes the credit of having secretly determined the question in favour of Portugal, from jealousy of Spain. But the braggart pride of that king made him assume the chief share in all national transactions, even where the effect was adverse to his interests, as subsequently in the triple league. He had not long before dismissed the Portuguese ambassador from his court with contumely ; and the duke of York, now avowedly married to the daughter of Hyde, states that the choice of a queen was decided by the advice of that minister. A measure, by which the chancellor calculated upon securing his interest, contributed to his ruin. It was charged upon him that he knew, from secret information, that the Portuguese princess was incapable of having issue, and in preferring her secured the succession to the issue of his own daughter by the duke of York.

The conduct of James to Anne Hyde is honourable to his memory. She had obtained from him a promise of marriage, and was now with child ; and neither the disapprobation of the king his brother, nor the advice of his friends, nor the gross imputations upon her conduct, attested by the officers of his household, could dissuade him from keeping his word. He had the double merit of fulfilling a moral obligation, in which passion had little share, and of rejecting a calumny circumstantially attested. The queen had come over, with her daughters, the princess of Orange, and Henrietta, afterwards duchess of Orleans, and all were violently averse to what they called a debasing marriage. Clarendon overcame the objections of the queen by engaging to procure her money for the payment of her debts* ; and whilst he laboured secretly and naturally, with the zeal of a father and a minister, affected to prefer the shame and punishment of his daughter to the dishonour which the duke's marriage with her would bring upon royalty. The court politician descended to the grovelling hypocrisy of declaring that "he would turn her out of his house as a strumpet, to shift for herself — that he would rather see her the duke's concubine† than his wife."‡

Another marriage was at the same time negotiated by the queen—that of her daughter Henrietta, who possessed talents, accomplishments, taste, beauty, in short, all the graces of her sex, with Philip, duke of Orleans, a person wholly and, perhaps, fatally, unworthy of her.

The festivities of the court were at the same time damped for a moment by two deaths in the royal family. The princess of Orange and the young duke of Gloucester, said to be a prince of great promise, which he probably would not have verified had he lived, were both carried off by the small-pox.

The meeting of a new parliament was fixed for the

* Evelyn's Diary, i. 314.

† He used the grossest term that could be applied to her, and has recorded all this himself.

‡ Life of Clarendon, Continuation, 29. fol. 53, 54. 8vo edit.

8th of May. The king's impatience to dissolve the convention parliament, which he had found so subservient to him, may be thought inexplicable. But it had the original vice of not being summoned by the king's writ: this was urged by the technical lawyers as throwing doubt upon the legal or constitutional validity of its acts; and it was thought advisable to erect tyranny and the restoration upon the basis of a parliament duly constituted.

Some circumstances which may be regarded rather as indications than historic incidents, occurred meanwhile. Of these the most striking, and at the same time the most frivolous in itself, was the insurrection, so called, of the fifth-monarchy men. About fifty or sixty fanatics, heated to phrensy by the preaching of a religiously mad wine-cooper, named Venner, rushed out of a conventicle in the city on the 10th of January, proclaimed "King Jesus against the powers of the earth," overpowered the city guards that opposed them, concealed themselves for a day or two in Caen-wood, returned to London under the delusion that they were invincible by any human force, and were either cut to pieces or made prisoners in a house which they defended with a singular combination of religious phrensy, self-possessed courage, and military science.

This episode of insane delusion rather than political conspiracy, which assuredly could not have been anticipated by Hyde without supernatural foreknowledge, was referred to as a confirmation of his alarm of conspiracy and insurrection at the closing of the parliament; and of the wretches themselves, Venner and about sixteen or seventeen who survived the carnage, upon their refusing quarter, were tried and executed.

Advantage was taken of this occurrence to organise and enlarge the nucleus of a standing army, preserved under the title of the king's guards, and to imprison or remove to a distance from London such officers and soldiers of the disbanded army as were made to appear suspicious persons in the eyes of the court. Justices of

peace were instructed to examine, disarm, and administer the oath of allegiance to all “ factious or turbulent persons throughout the country.” That liberty of conscience which was promised by the king, not only from Breda, but in his ecclesiastical declaration, was violated still more outrageously than the liberty of person. Even the presbyterians began to feel the yoke. Justices were ordered to enforce the reading of the liturgy, under the penalties against nonconformity. The king’s declaration was urged in reply ; upon which they rejoined, that the king’s declaration was not law.

A more fierce persecution began to rage against anabaptists and quakers : they appear to have been thrown into prison by hundreds, if not by thousands.* They petitioned the king in language of rude pathos, which cannot be read without emotion to this day ; and it is probable that Charles would have relieved them, were he left to his own listless temper and religious indifference. But his attention was diverted, or his ears closed, by the episcopal hierarchy, which now carried its pretensions even beyond those of archbishop Laud, and by Clarendon, who, as a statesman, looked upon the restored monarchy as exposed to constant danger from the toleration of religious dissent.

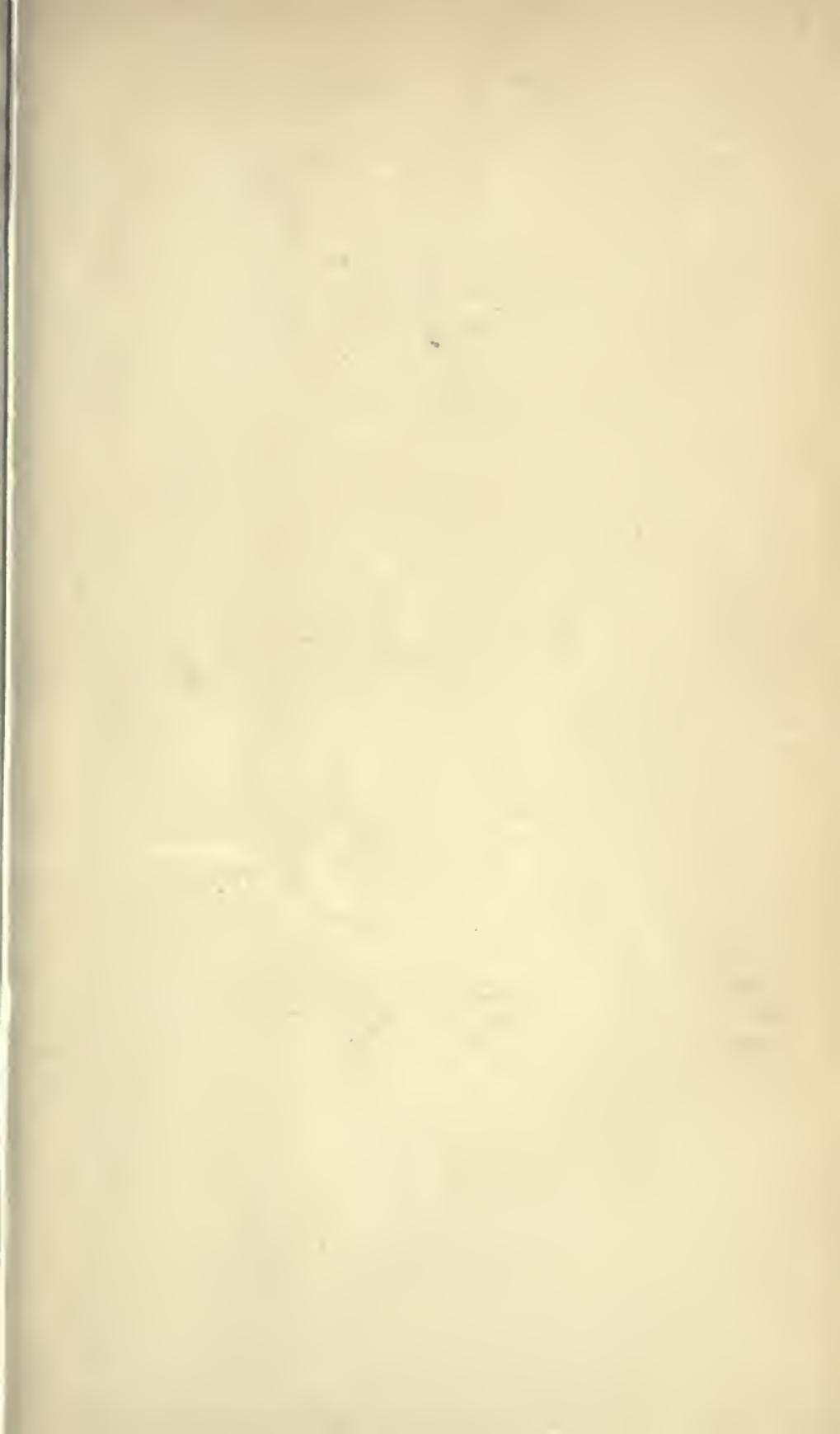
That minister, however, at this period had considerable merits, of which at the same time the magnitude and the motives have been over-rated : he checked the disposition to violate the act of indemnity and oblivion ; he discouraged the formation of a standing army ; and he succeeded in putting a negative, in the king’s council, upon a project for making the king absolute, by obtaining the settlement of two millions a year upon the king and his successors by the convention parliament. It was approved by Southampton, which gives a low estimate of his virtue or his sagacity. His more provident and politic friend, Clarendon, told him, that when the king could do without parliaments, he

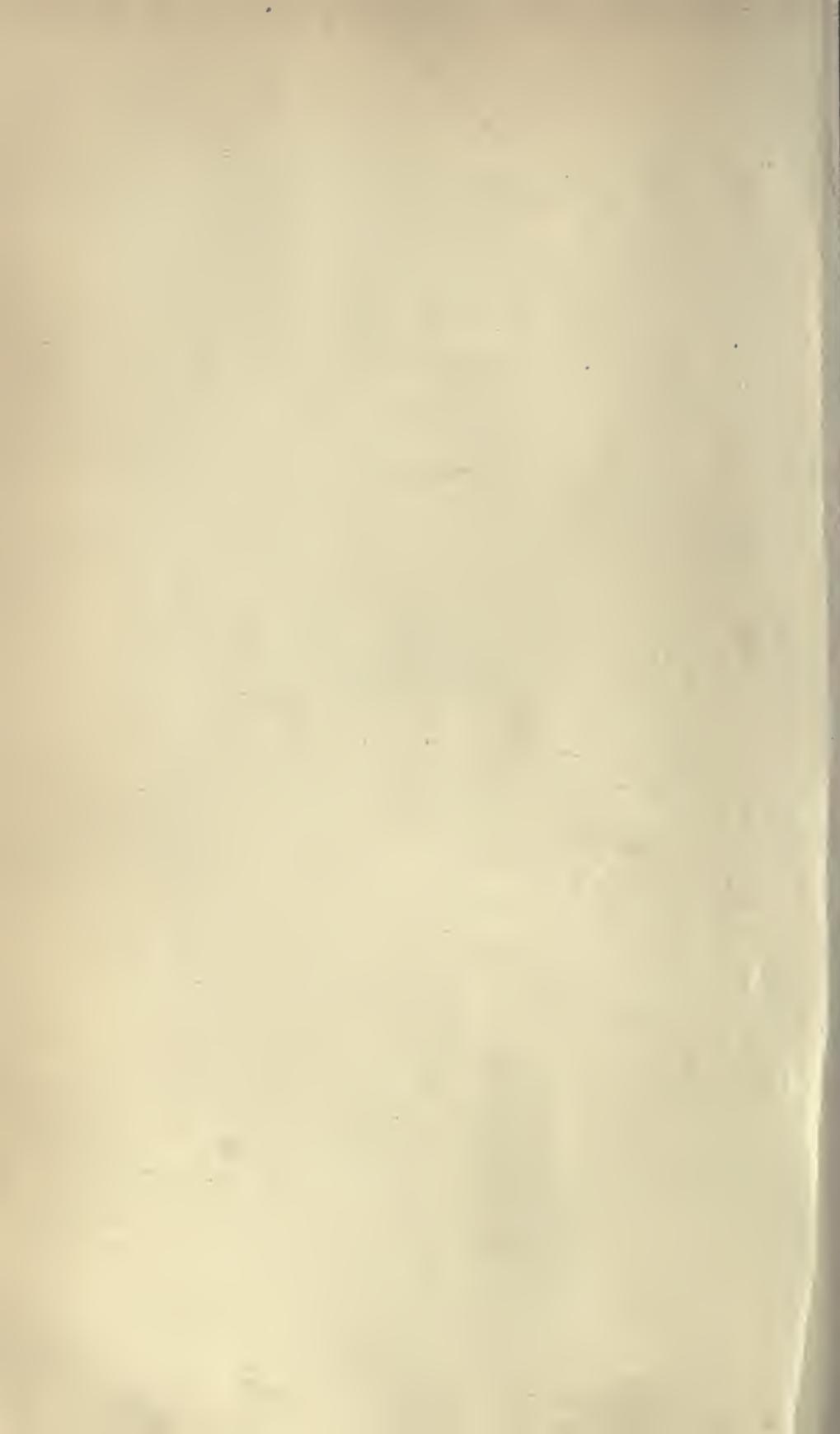
* See Fox’s Journal, and Baxter’s Life, sub ann. 1660, 1661.

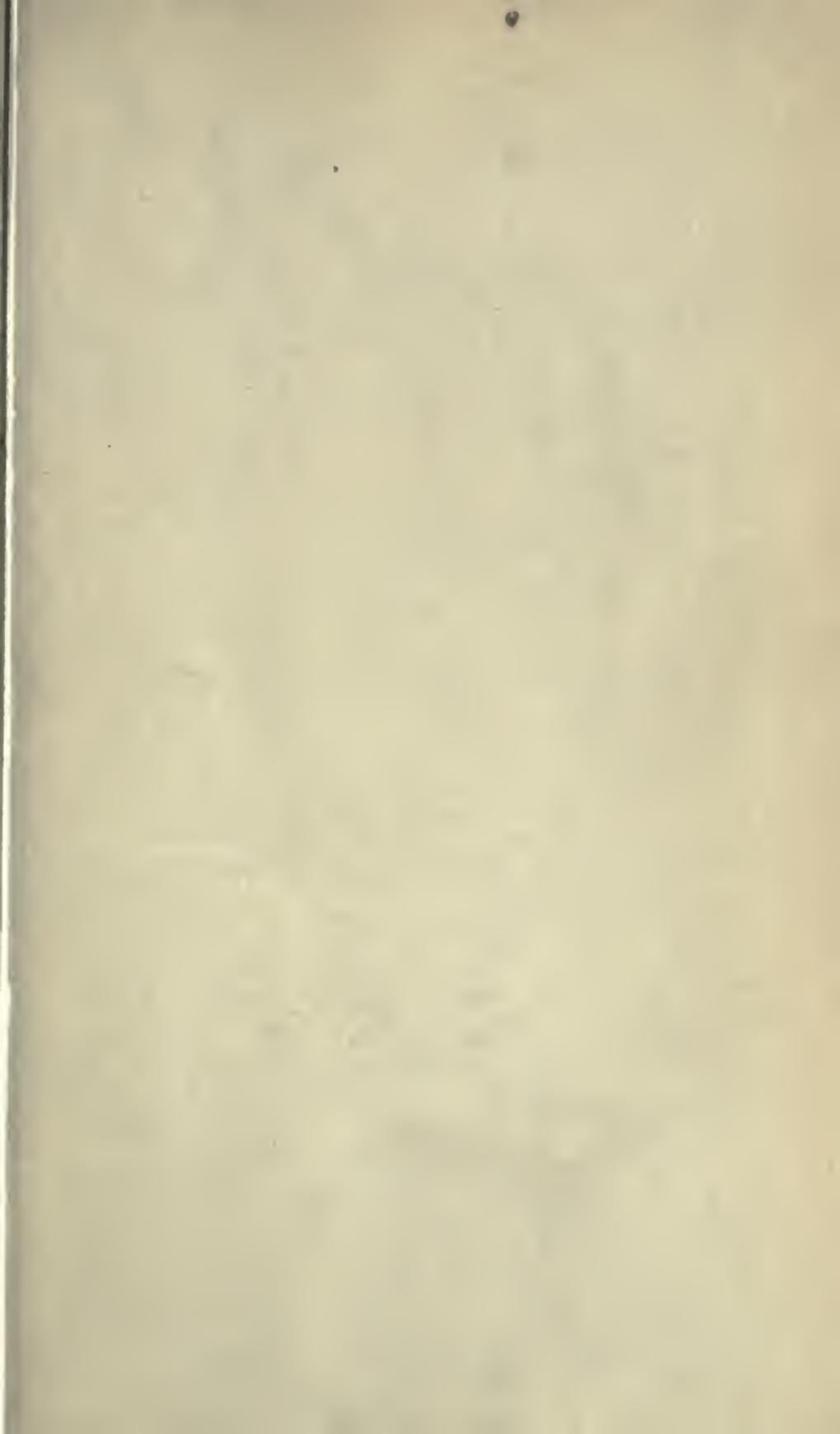
would no longer need them as his ministers, and the project was laid aside. Meanwhile the elections were proceeding with the most decided preponderance in favour of royalists ; the people seemed to repudiate not only republicans, but presbyterian monarchists. The result was that second long parliament of seventeen years' duration, so different from the first so named, and branded in history with the designation of the pensioned parliament.

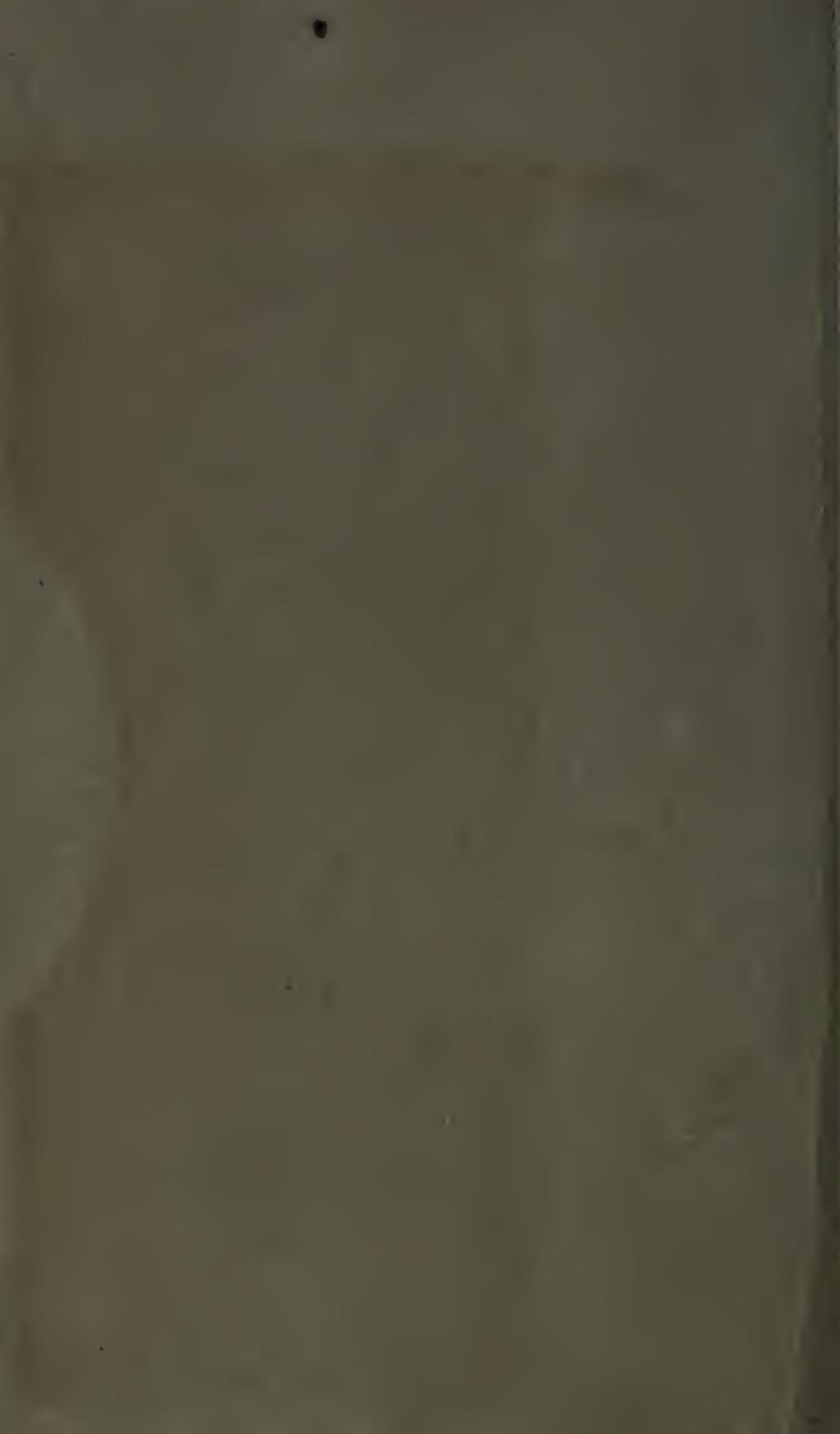
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